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JURY TO RECEIVE COHN CASE TODAY

Summations in U.S. Perjury
Trial Take Six Hours

By HOMER BIGART

A Federal prosecutor, summing up the Government's case the trial of Roy M. Cohn and Murray E. Gottesman yesterday, said the defendants were guilty of a "most clever, brazen, blatant attempt" to obstruct justice.

The 10 men and 2 women on the jury listened to six hours of summation. They will receive the case this morning.

The prosecutor, Gerald Walpin, urged the jury to disregard the defense complaints that the Government had made a deal with confessed stock swindlers "get" Mr. Cohn.

Mr. Walpin contended that the defense was trying to "beat" the main issue: whether Cohn and Mr. Gottesman obstructed a 1962 grand jury investigation. That jury is trying to determine whether "anything improper" had been done during the Government's investigation of the United Dye stock fraud case in 1959.

Indictment Omitted 4

Four men who later confessed stock fraud were not named in a 1959 indictment. Two of the swindlers appeared as Government witnesses in the current trial and said a \$50,000 bribe was split between Mr. Cohn and Morton S. Robson, a former chief assistant United States Attorney.

The Government has made a charge of bribe-taking against Mr. Cohn, and Mr. Robson is not a defendant.

In proceeding against Mr. Cohn and Mr. Gottesman, the Government tried to narrow the case, charging that the defendants perjured themselves before the 1962 grand jury and that Mr. Cohn tried to threaten other witnesses and induce them to lie.

The defense, however, succeeded in introducing the bribe story and hit strongly at the Government's apparent inability to prove that Mr. Cohn and Mr. Robson shared a bribe.

Mr. Cohn's chief defense counsel, Frank Raichle, contended in his summation that the whole Government case had collapsed as a result of the testimony of former United States Attorney S. Hazard Gillespie.

Said Decision Was His

Mr. Gillespie, the first witness called by the defense, testified that he alone had made the decision to omit the four swindlers from the 1959 indictment and that Mr. Robson had not attempted to influence his decision in any way.

Therefore, the defense asserted, there was no bribe, and the Government failed to establish "any conceivable motive" for the alleged attempts by Mr. Cohn and Mr. Gottesman to obstruct justice.

Before the trial, Mr. Cohn had accused Attorney General Robert F. Kennedy and United States Attorney Robert M. Morgenthau of staging a vendetta against him.

In his summation yesterday, Mr. Raichle said: "I really thought that after Mr. Gillespie testified here, they [the prosecution] would come forward and say: 'We were mistaken about the claim that a bribe was paid to Robson. Mr. Robson is entitled to a public apology, and Mr. Cohn and Mr. Gottesman were entitled to a public apology.'"

The logical target for suspicion, Mr. Raichle asserted, was not Mr. Robson, but Leonard Glass, the assistant United States Attorney who presented the United Dye case to the 1959 grand jury.

Told of Question List

A Government witness at the current trial testified that in 1959 Mr. Glass slipped him a list of questions that Mr. Glass proposed to ask of Allen K. Swann, one of the four swindlers, at a grand jury session the following day.

The only suggestion of a bribe to Mr. Glass was made by Samuel S. Garfield, one of the swindlers, who testified to lending \$25,000 to a convicted swindler who wanted to "buy Mr. Glass's suit."

"Where was he going to buy it — at Tiffany's?" sneered Mr. Raichle.

Henry K. Chapman, counsel for Mr. Gottesman, thumped the lectern during his summation as he characterized Government witnesses as "liars, thieves, chiselers and an oily lawyer, full of gas, who tried to give the impression he was just an innocent hayseed." The "lawyer" reference was to Swann, who is from Evansville, Ind.

Mr. Walpin, in his three-hour summation for the prosecution, denied that Mr. Gillespie's testimony had ruined the Government case.

Mr. Walpin, saying he had the highest regard for Mr. Gillespie, contended that Mr. Gillespie's testimony had not "contradicted one iota" of Government testimony.

Mr. Walpin who occasionally whirled around to jab a finger toward Mr. Cohn, accused the defendant of fabricating "a tangled web of deceit."

Recalling Mr. Cohn's assertion that his only connection with Garfield and the other swindlers was in the brief and proper role of legal consultant, Mr. Walpin stressed that Mr. Cohn had produced no documents indicating such a link.

Judge Archie O. Dawson will charge the jury this morning. On Tuesday he dismissed the first count against Mr. Cohn and Mr. Gottesman—conspiracy to commit perjury and obstruct justice.

The nine other charges consist of three of perjury and four of obstruction of justice against Mr. Cohn and two of perjury against Mr. Gottesman.

(Indicate page, name of newspaper, city and state.)

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NEW YORK TIMES

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V-Cohn Perjury Trial 22 Heads for Jury; 2 Could Get 35 Years

By JOSEPH COHEN

Ten men and two women will listen to the judge for about an hour today, and then retire behind locked doors to pass judgment on Roy M. Cohn.

After nearly three weeks of accusations, counter-charges, and frequent outbursts of bitter acrimony from the witness stand, the perjury-conspiracy trial of the 37-year-old attorney and his co-defendant, Murray E. Gottesman, finally reaches the jury today.

It will begin deliberating after hearing the charge from Federal judge Archie O. Dawson.

STOCK FRAUD CASE

Mr. Cohn, who was chief counsel to the Sen. Joseph R. McCarthy (R-Wisc.), is accused of seven counts of perjury and obstruction of justice in connection with testimony before a grand jury probing his alleged efforts to forestall the indictment of four men in the \$5-million United Dye & Chemical Corp. stock fraud case of 1959.

His co-defendant, Mr. Gottesman, 57, is accused of two perjury counts.

Judge Dawson has dismissed the conspiracy charge against Mr. Cohn and Mr. Gottesman. However, they could receive 35-year prison terms for the nine remaining charges.

DISPUTE TESTIMONY

Attorneys for both defendants argued in summations yesterday that the government's case came from "polluted sources" and was unworthy of belief. This referred to heavy government reliance on the testimony

of swindlers who had pleaded guilty in the stock fraud case.

The government's summation alleged that Mr. Cohn and Mr. Gottesman lied to a grand jury, thus proving their alleged interference served to prevent four possible indictments in the 1959 case.

Judge Dawson is expected to stress today that the jury must find that, before returning a verdict of guilty on any of the nine felony counts, the government has proven its case beyond a reasonable doubt.

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NY Journal American

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Roy Cohn Jury Talks 11 Hours, Quits for Night

By NORMA ABRAMS and SIDNEY KLINE

A federal jury of 10 men and two women failed last night to reach a verdict in the trial of attorneys Roy M. Cohn, 37, and Murray E. Gottesman, 57, on charges of perjury and obstructing justice. The jurors will make another stab at it today.

At 10:20 P.M., after deliberating almost 11 hours, the jurors were asked by Federal Judge Archie Dawson whether he should make overnight reservations for them in a hotel or whether they wanted to ponder some more.

The panel asked the judge to make hotel reservations. At 10 A. M. today the 12 will resume deliberations in the paneled jury room of the U. S. Court House in Foley Square.

68-Minute Charge

It was 11:38 A. M., after a charge of 68 minutes, that the panel retired to the jury room. Except for a dinner break from 6:30 P. M. to 8:15 P. M., the jurors kept to their task.

The panel went to dinner about 6:30 P. M. and resumed deliberations at 8:15 P. M.

Cohn, onetime assistant U.S. attorney and righthand man to the late Sen. Joseph R. McCarthy, was up on three counts of perjury and four counts of attempted obstruction, and Gottesman on two counts of perjury.

Judge Dawson noted that whether a \$50,000 bribe which the prosecution charged had changed hands to keep swindlers off a 1959 indictment in the \$5 million United Dye and Chemical Corp. scandal was not at issue.

When to Retire

"The alleged bribe is not being tried," Dawson had said. "The government had no opportunity

to prove whether a bribe was paid or not."

But, the judge had pointed out, the matter of a bribe could have entered into the motivation of Cohn and Gottesman if they had, indeed, committed the crime charged.

The judge had emphasized that a key element was who was to be believed.

On one hand were arrayed Samuel S. Garfield, Allard Ross and Allen E. Swann, admitted swindlers all, who had testified that Cohn, aided by Gottesman, had intervened with certain men in the U.S. attorney's office here to keep them off the indictment.

On the other hand were E. Hazard Gillespie, U.S. attorney in 1959, who said the decision to leave Garfield, Ross and Swann along with Irving Pasternak, off the 1959 indictment was his decision alone, and others who supported the defense contention that a group of plotters were out to "get" Cohn.

Then, the jury, with Harold Bertha, a soft drink salesman, Pearl River, as foreman, began deliberations.

The trial had started on May 23. Yesterday marked the 11th day in court.

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JOHN COHN IS SENT TO BED FOR NIGHT

Deliberations Go On All Day
— To Resume Today

By HOMER BIGART

A Federal Court jury was unable to reach a verdict last night in the perjury trial of Roy M. Cohn, Judge Archie O. Dawson sent the jurors to a hotel for the night and told them to resume deliberations at 10 A.M. today.

The case went to the jury at 11:37 A.M. yesterday.

Federal Judge Archie O. Dawson had delivered a charge to the jury that Mr. Cohn's chief defense counsel, Frank Raichle, objected to. Mr. Raichle said that the judge had omitted from his charge a suggestion that the Government had failed to establish motive for a crime.

Judge Dawson called the jurors back and delivered a supplemental charge that pleased Mr. Cohn and his co-defendant, Murray E. Gottesman, but discomfited the Government.

Judge Dawson said that if the jury disbelieved testimony by confessed swindlers regarding an alleged bribe shared by Mr. Cohn and a former assistant United States Attorney then the jury might conclude that there was no motive for the crimes imputed to the defendants.

Charge Detailed

Mr. Cohn, 37 years old, was charged with lying to a 1962 Federal grand jury. That jury was investigating how four swindlers had evaded indictment in a 1959 investigation of the \$5 million United Dye and Chemical Corporation stock fraud.

Mr. Cohn was also accused of inducing other witnesses to lie, and of obstructing justice by other means.

Mr. Gottesman, 57, was charged with perjury.

Mr. Cohn waited for the jury's verdict in the same courtroom of dark Italian marble and walnut paneling where he had helped convict the atom spies, Julius and Ethel Rosenberg, in 1951.

In his summation Wednesday, Henry K. Chapman, counsel for Mr. Gottesman, told the jury of 10 men and 2 women that conviction would mean "professional death" for the two lawyers.

Mr. Cohn, once the "boy wonder" of the United States Attorney's office and later chief counsel to the late Senator Joseph R. McCarthy's investigating committee, had become so prosperous in law and business that he was a millionaire at 37.

The jury was given seven counts against Mr. Cohn, three alleging perjury and four alleging obstruction of justice. The maximum sentence for conviction on all counts was 35 years in jail and \$70,000 in fines. Mr. Gottesman, charged with two counts of perjury. The maximum sentence was 10 years in prison and \$4,000 in fines.

Visits to Press Room

Through the long afternoon, Mr. Cohn occasionally wandered down to the press room. He was wearing a dark blue over-pinked suit, white shirt and grayish paid tie.

Mr. Cohn said he had "never gloated over the misery" of the narcotics offenders, spies and Communists he had helped convict when he was a young Federal prosecutor in the building.

But he found "consolation," he said, in the fact that he had prosecuted "cases which struck at the heart of the nation."

In an oblique reference to the "vendetta" that he charges is being waged against him by Attorney General Robert F. Kennedy and United States Attorney Robert M. Morgenthau, Mr. Cohn said: "I realize the power of the forces that have been arrayed against me. It's an uphill fight but I'm still very hopeful."

Mr. Cohn narrowly missed an encounter with Mrs. Helen Sobell, whose husband, Martin, was convicted for espionage at the same time as the Rosenbergs and sentenced to 30 years. Mrs. Sobell distributed pamphlets asking pardon for her husband.

The Cohn trial, which began March 23, was highlighted by testimony of two Government witnesses, confessed swindlers, who said that a \$50,000 bribe was split in 1939 by Mr. Cohn and Morton S. Robson, then chief assistant United States attorney.

Bribery Not in Indictment

The witnesses, Samuel S. Garfield and Allard Roen, said the \$50,000 was for fixing an indictment in the United Dye case. Garfield, Roen and two other swindlers, Irving Pasternak and Allen K. Swann, were not named in the 1939 indictment.

But bribery was not charged in the nine-count indictment against Mr. Cohn and Mr. Gottesman.

Instructing the jury, Judge Dawson declared: "The alleged bribe is not being tried. The Government had no opportunity to prove whether a bribe was paid or not. Those charges did not result in any indictment."

Judge Dawson said he had allowed testimony about the alleged bribe because it was important as a possible motive. Also, he said, the bribe story shed light on the veracity of Garfield and Roen, who told it.

The swindlers' story was subjected to strong attack during the 13-day trial by Mr. Raichle. He had called as his first defense witness S. Hazard Gillespie, who was United States Attorney in 1939.

Mr. Gillespie swore that he, and he alone, had made the decision to omit Garfield, Roen, Pasternak and Swann from the 1939 indictment. He swore that Mr. Robson, the alleged recipient of two-thirds of the \$50,000 bribe, had not sought to influence him in any way.

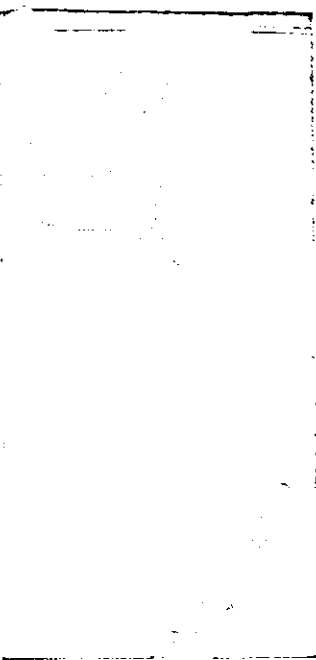
Mr. Gillespie said that the

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21 NEW YORK TIMES

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Associated Press

**AT COURT: Roy M. Cohn
at U.S. Court House.**

omission of the four men from the 1959 indictment was good strategy, that there was not enough evidence that year to the four were subsequently indicted in 1960, when Mr. Gillespie and Mr. Robson were still in office, and when, according to Mr. Gillespie, there was new and ample evidence.

After Mr. Gillespie, the defense called Mr. Robson who flatly denied taking any bribe. He also swore he had never been in Las Vegas, where, according to the swindlers, he had accepted the money. Other witnesses testified that Mr. Robson was in New York on the August weekend that the swindlers placed him in Las Vegas.

Also mentioned in the trial was another former assistant United States attorney, Leonard Glass. A Government witness said that Mr. Glass had helped fix the 1959 indictment by supplying Swann with a preview of the questions that Mr. Glass was to ask Swann the next day at a grand jury hearing. Mr. Glass was not called as a witness.

Judge Dawson told the jury that the case rested largely on whether the jury believed Garfield and Roen or Mr. Cohn and Mr. Gottesman.

The judge also mentioned some of the threats that Mr. Cohn was alleged to have sent to Garfield and Roen when he learned they were testifying against him to a 1962 grand jury.

"It's not a crime to tell a man you are going to expose him for lying," the judge said.

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Roy Cohn Jury Trying Again For a Verdict

By IRVING LIEBERMAN and WILLIAM H. RUDY

A federal court jury today resumed its deliberations in the trial of attorney Roy M. Cohn on charges of perjury and obstruction of justice.

The panel of 10 men and two women were back in the jury room shortly before 10 a.m. after spending the night at a hotel. They had deliberated for seven hours after getting the case yesterday.

Today's session completed four weeks of trial days, a span considerably shorter than had been thought possible last March 23 when selection of the jury began.

Judge Dawson, who completes a decade on the federal bench here on June 15, used every method at his disposal to speed the proceedings and drew praise from attorneys for both sides.

Why Speed Is Necessary

"I think if a trial drags on too long, the people forget what happened in the early stages," the judge said today.

He estimated the time-saving tactics had cut possibly a month from the length of the trial.

Judge Dawson at 10:45 p.m. last night summoned the jury to the courtroom and asked if it thought a verdict could be reached by midnight. If not, he said, he would arrange for hotel accommodations.

The jury conferred for a few moments — then the foreman, Harold T. Bertha, a soft-drink salesman from Pearl River, rose and stated:

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4 NEW YORK POST

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Author: LIEBERMAN & RUDY
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"Your honor, I think ~~you'd~~
better make the reservations."

The panel gave up a half-hour later.

No Hint of Direction

There was no indication of which way the jury leaned in considering the nine charges of perjury and obstructing justice lodged against Cohn and his

co-defendant, Murray E. Gottesman.

Nor would the principals in the case comment on what the lengthy deliberation boded.

"I gave up predicting jury verdicts a long time ago," Cohn said earlier in the evening during a visit to the press room in the Foley Sq. courthouse.

Defense attorney Frank Raichle said only: "You never know. I've been through this too often to make any predictions."

Asst. U. S. Attorney Walpin said: "They're just analyzing the evidence carefully."

Grand Jury Lile Charged

Cohn and Gottesman are charged with lying to a 1962 grand jury which was trying to determine how four swindlers had escaped indictment in the United Dye stock fraud investigation in 1959.

Two of the four—Samuel Garfield and Allard Roen, who pleaded guilty to a subsequent indictment—testified during the trial that they escaped by paying a \$50,000 bribe to Cohn and Morton S. Hobson, then Chief Asst. U. S. Atty.

Both Cohn and Robson denied the accusation, and Judge Dawson emphasized in his charge that bribery was not an issue in the perjury trial.

Cohn is 37. Gottesman celebrated his 57th birthday yesterday.

AS COHN JURY DELIBERATES **A Vigil in a Courtroom...** **And a Statement of Faith**

By FRANK BORSKY

They formed in little knots in the corridor outside Room 110 in the Federal Courthouse at Foley Square last night.

It was shortly after 8:15 p. m. and the jury in the Roy M. Cohn trial had just returned from dinner.

And minutes later, Mr. Cohn, 37, stepped out of a chauffeur-driven Cadillac, bounced up the steps of the courthouse, and soon was in the marble corridor.

Impeccably dressed in a blue suit, gray and white plaid tie, and RMC embroidered in dark blue on the white shirt, Mr. Cohn had just returned from dinner with his lawyers and friends.

He would step aside to greet a friend, confer for a few minutes, then go to another group of friends. Often, they would walk with him.

It was hard to believe that somewhere behind a locked door in the courthouse, 10 men and two women pondered the fate of the late Sen. Joseph McCarthy's onetime counsel and his co-defendant, Murray E. Gottesman, 37.

They are charged with perjury and attempting to prevent the indictment of four stock swindlers in the \$5 million United Dye and Chemical scandal. Federal Judge Archie O. Dawson handed the case to the jury at 11:38 a. m. yesterday on the 18th day of the trial.

VOICES FAITH

If found guilty, Mr. Cohn, a former Assistant U. S. Attorney, could receive a maximum penalty of 35 years in prison and fines of \$25,000. Mr. Gottesman would face a total penalty of 10 years in prison and \$4,000 in fines upon conviction.

"While the jury was out, we

we made an office outside the courtroom during the afternoon," Mr. Cohn who worked on other business during the day, was saying as he puffed on his cigar. "I have a great deal of faith in the American system of justice. With the great forces arrayed against me, it is a great credit to the system that I have an opportunity to fight back."

As he walked away, there were some 35 people in the corridor — mostly his friends — clustered in little groups. Again, there were no signs of depression.

FRIENDS PRESENT

Outside the courtroom there was a steady, staccato-like chatter that bounced off the walls. Inside Gerald Walpin, who presented the government's case, sat with his wife at the prosecution table, his legs propped up, and said:

"There is no way of knowing. All I'm doing is waiting. I've finished my job."

It was 10:20 p.m. and word was passed that the jury was coming in. They came in quietly at 10:27. Judge Dawson said if they felt they couldn't reach a decision that he would have to make hotel reservations.

As the Judge spoke, Mr. Cohn slumped slightly in his chair, cupping his face with his right hand. Suddenly, his eyes darted to the juror at

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ROY COHN
Awaiting Verdict

AP Photo

ting in chair number three.

It was to this juror that Foreman Harold T. Bertha, of Pearl River, turned and talked to before he told Judge Dawson:

"Your honor, I think you'd better make the reservations."

It was 10:29 when they left the courtroom. Again, Mr. Cohn began conferring with his attorneys and friends. Was he going home to relax?

The jury will resume deliberations today.

(Mount Clipping in Space Below)

Cohn Jury Trying Again for Verdict

The Federal Court jury weighing the fate of Roy M. Cohn returns to its deliberations today.

The 10-man, 2-woman panel, unable to decide after 11 hours of discussion whether Cohn and Murray E. Gottesman are guilty of perjury and obstructing justice, was ordered locked up for the night by Judge Archie O. Dawson.

Cohn, 37, former aide to the late Sen. Joseph R. McCarthy (R., Wis.), waited in vain for the verdict last night in the same courtroom where he helped convict atom spies Julius and Ethel Rosenberg in 1951. They died in the electric chair.

Now the lawyer, named in three counts of perjury and four of obstructing justice, faces a possible 35 years' imprisonment if found guilty. Attorney Gottesman, who turned 57 yesterday, faces a maximum 10 years on two perjury charges.

Cohn is accused of having kept four men from being indicted in a 1959 grand jury investigation of the \$5 million United Dye and Chemical Corp. scandal. Both are charged with lying to a 1962 panel seeking to learn why the men—who in the interim had pleaded guilty to stock fraud — were not named in the earlier inquiry.

(Indicate page, name of newspaper, city and state.)

1 NEW YORK WORLD
TELEGRAM AND THE SUN

Date: 4/17/64

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Editor: RICHARD D. PETERS

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COHN JURY WEIGHS CASE SECOND DAY

Will Resume Work Today—
Judge Offers His Help

By HOMER BIGART

The Roy M. Cohn trial jury failed again yesterday to reach a verdict and will resume deliberations today.

Still deadlocked after nearly 18 hours of discussion of the perjury and obstruction of justice charges against Mr. Cohn, the jury was sent to a hotel by Judge Archie O. Dawson and told to return at 10 A. M. today.

The panel of 10 men and 2 women looked tired and glum. Judge Dawson tried to console the jurors by telling them he would consider any written questions sent to him on the complicated case.

Mr. Cohn and his co-defendant, Murray E. Gottesman, both lawyers, had been charged with lying to a 1962 Federal grand jury. The jury was trying to determine how four swindlers escaped indictment in a 1959 grand jury investigation of the \$5 million United Dye and Chemical Corporation stock fraud.

As the hours dragged while the jury deliberated, Mr. Cohn said he was resigned to a hung jury.

He was charged with three counts of perjury and four of obstruction of justice. The maximum penalty for conviction on all the counts could total 35 years in prison.

"I was convinced all along there would be a hung jury," Mr. Cohn kept telling well-wishers who streamed past him in the marble corridors of the courthouse.

Waits on Steps

Later, the 37-year-old lawyer, with streaked black hair covering a bald spot, met admirers on the steps of the courthouse.

Outwardly calm, he bought ice cream from a vendor. He stood at the entrance, bathed in the late afternoon sun, and reminisced on past triumphs.

It was in this building that Mr. Cohn, as a young assistant United States attorney, became a specialist in subversive activities. Here he helped the Government send Julius and Ethel Rosenberg to the electric chair as atomic spies for the Russians and assisted in the prosecution of Communist leaders.

He had returned to this place as chief counsel to Senator Joseph R. McCarthy's investigating committee to conduct some of the preliminary hearings that led to the Army-McCarthy showdown.

Mr. Cohn remarked that he had always been a controversial figure and it was not surprising that the jury of 10 men and 2 women was deadlocked over his fate.

"If you ever get 12 people to agree about me on anything, I'd be very much surprised," he said.

The main question for him was: How would the jury divide?

Optimism Tempered

On Thursday, in a flush of optimism partly induced by Judge Archie O. Dawson's charge to the jury, which pleased the defense, Mr. Cohn guessed that the jury would split 10 to 2, or 9 to 3, for acquittal.

Yesterday, somewhat subdued by the long courtroom vigil, Mr. Cohn shaved the acquittal margin to 8 to 4.

"I learned long ago not to whimper," Mr. Cohn replied when someone complimented him on his apparently nerveless demeanor.

Mr. Gottesman was also uncomplaining during the tedious afternoon. He sat on a chair outside the courtroom door, quietly smoking a pipe.

He was charged with two counts of perjury. The maximum penalty on conviction would be 10 years in prison.

Experienced observers of Federal courts said they had never seen a jury so mysteriously quiet.

Only once in the first 15 hours of deliberation did the jury ask for evidence. That request came soon after the jury received the case at 11:37 A.M. Thursday. The jury came back to the courtroom to hear a clerk read some testimony corroborative of that of a Government witness.

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Perjury Jury Weighing Cohn Fate on 3d Day

A Federal Court jury today starts its third day of deliberating perjury charges against Ray M. Cohn, one-time aide to the late Sen. Joseph R. McCarthy, and co-defendant Murray E. Gottesman.

Judge Archie O. Dawson sent the 10 men and 2 women jurors to a hotel again late last night after Foreman Harold T. Bertha of Pearl River indicated it was useless to work later.

It was 10:35 p.m. yesterday when the jurors filed into the courtroom, after having deliberated for some 17 hours and 30 minutes since getting the case at 11:38 a.m. Thursday.

JUDGE GREETES JURORS

Judge Dawson greeted the jurors, who showed signs of weariness, with a friendly smile. About 75 spectators converged on the courtroom as the Judge said:

"I'm glad to see you people again. It's a long time since we've met."

When the jurist asked Mr. Bertha whether the jury wanted to continue into the night, get reservations at a hotel, Mr. Bertha said:

"Your honor, I think you'd better make a reservation."

ACCUSED OF LYING

Mr. Cohn, 37, and Mr. Gottesman, 37, both lawyers, are accused of lying in 1962 to a grand jury which was investigating the handling three years earlier of an involved \$5 million stock swindle of the United Dye & Chemical Corp.

The government contends they lied to conceal a \$50,000 payoff in the 1959 stock swindle case. Witnesses said Mr. Cohn got \$16,333 and Morton S. Robson, then Chief Assistant U.S. Attorney in Manhattan, got \$33,667 to prevent the indictment of four men.

The defense contends certain people in the Justice Department are out to get Mr. Cohn.

NY JOURNAL AMERICAN

Seven Sports

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Lock Up Cohn Jury For a Second Night

By NORMA ABRAMS

For the second night, the jury deciding the fate of Roy M. Cohn was locked up in a midtown hotel after reporting at 10:25 P. M. yesterday that their deliberations thus far have been fruitless.

The panel of 10 men and two women was unable to reach a verdict on the perjury and conspiracy charges against Cohn and another lawyer after almost 18 hours of deliberation. They had put in another 11 hours of deliberation Thursday in the same federal courtroom in which Cohn began launching himself to fame 16 years ago.

Wants Testimony Read

Only once in the two days did the jury ask Judge Archie O. Dawson for help. This was on Thursday morning when the panel requested the reading of 15 minutes of testimony.

The jury will resume deliberations at 10 A.M. today.

Cohn, 37, predicted the jury

would be unable to reach a verdict, and the trial would be nullified. "If you ever get 12 people to agree about me on anything, I'd be very much surprised," he said as he strolled casually through the Foley Square court house.

Linked to Stock Scandal

If convicted on the three counts of perjury and four counts of attempting to obstruct justice, Cohn could be imprisoned 35 years and fined \$25,000. His co-defendant, Murray E. Gottesman, 57, could be jailed 10 years and fined \$4,000 on two counts of perjury.

They are accused of attempting to block the indictment of four stock swindlers in the \$5 million United Dye & Chemical Corp.

DAILY NEWS

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Weary Cohn Jury Out for Third Day

The jury deciding Roy M. Cohn's fate returned to a third day of deliberations in Federal Court today. They received the case at 11:35 a.m. Thursday.

Deliberations were resumed at 9:50 o'clock. Cohn, 37, faces a possible 35 years in prison on three counts of perjury and four of obstructing justice. Gottesman could be sentenced to a maximum of 10 years on two perjury charges.

The 10 men and two women were sent to a hotel last night after telling Judge Archie O. Dawson they could not reach a verdict on the perjury and obstruction-of-justice charges against Cohn and co-defendant Murray K. Gottesman. The two attorneys are charged with lying to a 1962 grand jury investigating how four swindlers escaped indictment in the \$5 million United Dye & Chemical Corp. stock fraud. Cohn is accused of arranging for the 1959 ~~true bill~~ to omit their names.

As 100 spectators rushed to the court to hear its possible decision, foreman Harold T. Bertha said the jury preferred to ~~spend~~ the night resting to omit their names.

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COHN JURY— INTO 3d DAY

By Milton Lewis

Of The Herald Tribune Staff

The harried-looking jury in the Roy M. Cohn perjury trial was locked up again last night, still deadlocked. The panel, which got the case at 11:35 a. m. Thursday, will resume arguing at 10 a. m. today.

"I'm glad to see you people again—it's been a long time since we've met," Federal Judge Archie O. Dawson quipped at 10:30 p. m., referring to the fact that he had last seen the jury of 10 men and two women exactly 24 hours previously when he first sent them to a hotel for the night.

What veteran court observers consider most singular is this: Since getting the case, the jury has made only one request for the re-reading of certain testimony, and that was 70 minutes after deliberations began two days ago.

Mr. Cohn, 37, and his co-defendant, lawyer Murray E. Gottesman, 57, indicated they were resigned to a hung jury, with both saying they would be willing to be re-tried as quickly as possible before Judge Dawson.

Both called him eminently fair, citing Judge Dawson's Thursday charge to the jury, which infuriated the prosecution.

Mr. Cohn is charged with three counts of perjury and four of obstructing justice, growing out of four subsequently confessed stock swindlers avoiding indictment in 1959. Two of the swindlers swore that \$50,000 was paid out to avoid indictment, with one-third going to Mr. Cohn and two-thirds to Morton S. Robson, chief assistant U. S. Attorney in 1959. Mr. Cohn and Mr. Robson denied this testimony. Mr. Robson is a close friend of Mr. Gottesman, named in two perjury counts.

The case grew out of Mr. Cohn's alleged refusal to co-operate with a 1962 grand jury, which tried to learn

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Herald Tribune photo by IRA ROSENBERG

A COLD LUNCH—Roy Cohn munches an ice cream pop yesterday near U. S. Court House in Foley Square. He was killing time while waiting for a jury verdict.

why the confessed swindlers were not indicted in the United Dye and Chemical Corp. stock swindle.

Besides the testimony that Mr. Cohn and Mr. Rosen received money, there was testimony that Leonard Glass, another assistant U. S. Attorney in 1959, submitted in writing to one of the swindlers' questions he was going to put to him in the grand jury room. Mr. Glass has never issued a denial of this testimony, heard in open court.

Several hours before the jury was sent to the Hotel Manhattan—where it was also locked up Thursday night—Mr. Cohn held "court" on the steps of the United States Court House for an admiring crowd, including law students.

At another juncture during the day, the one-time counsel to the investigating committee, of which the late Sen. Joseph R. McCarthy was chairman, made this observation:

"As time goes by" the chances "of a hung jury become stronger and stronger."

Mr. Cohn assessed the situation this way as he drank coffee in the court-house basement press quarters, which he used to visit frequently as a Federal prosecutor:

"In a jury room or anywhere else, if you can get 12 people to agree about me about anything I'd be very much surprised."

Mr. Cohn, on trial since March 23, held "court" on the court-house steps for about 35 persons, practically all pro-Cohn. Co-defendant Mr. Gottessman concentrated on smoking his pipe outside the high-ceilinged courtroom in which the 19-day trial was held and where those involved in the "death-watch" were napping.

Swathed in sunshine, about the only question Mr. Cohn ducked was one asking him what he thought of Bobby Baker. To that he had no comment.

What did he think of the film, "Point of Order"? dealing with the McCarthy-Army hearings of 1954.

"I liked 'Tom Jones' better."

Did he consider himself a Democrat?

"Yes—conservative."

A general question on Sen. McCarthy brought this answer:

"Communism is still the No. 1 menace in the world. Sen. McCarthy had the quality of courage."

What's David Schine—his sidekick on the McCarthy Committee—doing?

"He's in Florida, married to the former Miss Universe. (Hillevi Rombin, 1955 winner) They have five kids."

Mr. Cohn volunteered that he thought Judge Dawson, who presided at the Cohn-Gottessman trial, was an outstanding jurist who conducted cases "right down the middle," favoring neither the defense nor the government.

Total strangers walked up to Mr. Cohn and wished him well, saying they were sure the government was out to "get" him. On that score, Mr. Cohn reiterated that "a lot of forces are arrayed against me," and "it's been an uphill fight."

Mr. Cohn was asked if he had been able to sleep Thursday night when the jury was locked up in the Hotel Manhattan. Mr. Cohn answered:

"Yes, I got about six hours' sleep."

As for the jury, it showed up yesterday in court at 9:45 a. m., 15 minutes ahead of time, and it took only a one-hour break for lunch.

It took 90 minutes for dinner.

Cohn Jury Narrowing Case to Final Counts

By JOSEPH J. COHEN and WALTER BAZAR

A 24-floor-suite meeting in the Hotel Pierre—that or did not take place—became the key question yesterday for the Federal Court jury deliberating the fate of Roy M. Cohn and fellow attorney Murray E. Gottesman.

The 10 men and two women had been weighing the evidence for 21 hours and 43 minutes when they asked for the reading of testimony about the meeting, said by the defense to have taken place August 19, 1950.

Since the testimony involved only Counts 8 and 10 of the indictment, the jury's action was taken in indication that it already had disposed of counts 2 through 7, and was not deadlocked.

The first count of the 10-count indictment had been thrown out for lack of evidence.

Counts 2 through 8 deal with Mr. Cohn. Counts 9 and 10 involve Mr. Gottesman.

If the jury had deliberated each count in chronological order, starting with 2, then yesterday's request could have meant they had only the last two counts on which to reach a decision.

JURY QUIET

Until yesterday's request, the jury, which had the case for three days, baffled veteran trial observers by its strange quiet. It previously had made only one request—that testimony of a government witness be re-read.

For an hour and 52 minutes the jurors listened as the court stenographers voice droned on, repeating what had been testified as to the meeting Mr. Cohn and Mr. Gottesman said took place in a suite occupied by Samuel H. Garfield, a confessed stock swindler.

The government said there never was such a meeting.

What the jury was trying to decide was whether Mr. Cohn, once an Assistant U.S. Attorney, and Mr. Gottesman told the truth, or lied, when they described such a meeting before a 1962 grand jury.

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TESTIMONY VARIES

That grand jury was seeking to learn why four men, including Mr. Garfield, escaped indictment by a 1959 grand jury which investigated the \$5-million United Dye and Chemical Corp. stock swindle. The four later were indicted and pleaded guilty.

Mr. Cohn and Mr. Gottesman testified they had met in the suite with Mr. Garfield and Allen K. Swann. The defense asserted that at this meeting Mr. Gottesman was retained as counsel for Garfield and Swann. Mr. Swann testified that the only lawyer he retained was George Rosier.

Another witness, Hyman Leirich, testified that he had attended a meeting in Mr. Garfield's hotel room that day but said he never saw Mr. Cohn or Mr. Gottesman.

When his denial was re-read, the jury foreman, Harold J. Bertha, of Pearl River, indicated that the jurors had heard enough.

"If we need more we'll be back," he said.

After deliberations about another hour, the jurors went to lunch at 6:30 p.m. They returned 8:15 p.m. to weigh the pros and cons once more.

U. S. Attorney Robert M. Morgenthau, whose office handled the prosecution, also showed up in the courtroom. He said he'd been working in his office during the day, and indicated that he'd remain during the evening in the event there was a verdict.

Federal Judge Archie O. Dawson remarked that this was the longest deliberation by a jury in any case over which he ever presided. It was not a record, though, in Federal cases.

The jury received the case from Judge Archie O. Dawson at 11:38 a.m. Thursday.

An hour later they returned for reading of 15 minutes of testimony by a minor prosecution witness.

WAIVE TO McCARTHY

Mr. Cohn, 37, former legal aide to the late Sen. Joseph P. McCarthy, is charged with three counts of perjury and four of obstructing justice by allegedly threatening other grand jury witnesses in the United Dye case.

If convicted on all counts, he could receive a term of 35 years and a fine of \$27,000.

Mr. Gottesman, 57, is accused on two counts of perjury only. If convicted on both, he could get 10 years and \$4,000.

Mr. Cohn has charged that the case is the result of a 10-year vendetta against him by U.S. Atty. Gen. Robert Kennedy.

The two once exchanged blows while working for the old McCarthy Senate Committee.

Cohn's Jury Is Given Key Testimony Fill-In

By NORMA ABRAMS

The jury deliberating the fate of attorneys Roy M. Cohn and Murray Gottesman late yesterday requested and got a two-hour reading of key testimony in the case. Then the jurors retired for further debate among themselves, only to send out a further request at 9:10 last night for a rereading of a portion of the judge's charge.

They began their third day of deliberation at 10 A. M. yesterday, had a 1½-hour lunch recess, resumed their caucus and, at 3:45 court reconvened so that a court stenographer could read them the testimony as requested.

They listened to cross and re-direct examination of witnesses who testified about an alleged Aug. 19, 1959 meeting that Cohn and Gottesman say they had with Samuel Garfield in the Hotel Pierre a meeting in which they claim Garfield retained Gottesman as an attorney.

Conflict Over Meeting

Cohn and Gottesman told a grand jury that they had had such a meeting. The government charged that such a session never took place, and that the two thus committed perjury before the grand jury.

During the reading of the testimony yesterday, the jurors whispered repeatedly to each other, as if saying: "That's the point which bothered me."

The 10 men and two women jurors received the case for deliberation Thursday, the 18th day of the trial. In the next two days, a rumor circulated around the courthouse that they were 8 to 4 for acquittal.

Cohn, 37, and Gottesman, 57, were tried on charges of having lied to a 1962 grand jury investigating the operations of a 1959 grand jury which handed up in-



(NEWS photo by Arthur Buckley) — Roy Cohn has coffee while awaiting verdict.

dictments in the \$5 million United Dye & Chemical Corp. stock scandal. The 1959 jury omitted from the indictment four men who subsequently admitted that they had participated in the stock fraud.

The prosecution charged that Cohn and Gottesman lied to block the indictment of the four, among whom was Garfield.

Cohn, who in recent years built up a \$250,000-a-year law practice here after achieving fame as a government attorney,

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faced a possible 35 years' imprisonment and \$26,000 fine if convicted on three counts of perjury and a charge of attempting to obstruct justice.

Gottesman faced a potential 10-year jail term and \$4,000 fine if found guilty on two perjury counts.

In the morning and early afternoon, the normally staid atmosphere of the U. S. Court House became relaxed and informal while the jurors debated inside, and others participating in and observing the trial, lounged outside on the building's steps.

Two events lightened the boredom of the presiding judge, Archie O. Dawson, prosecution and defense attorneys, the defendants and Cohn's law partners and their wives, all of whom sat or strolled in front of the Foley Square structure.

Watch Chinese Drill

Matthew Anderson, 6, son of Assistant U.S. Attorney Eugene E. Anderson, emerged from the building with his father. The boy, "armed" with a toy six-shooter, was hailed by Judge Dawson, who had met him before.

The youngster approached Dawson, whipped out his gun and pointed it at the judge, who roared with laughter.

Later, the judge and the others attentively watched and applauded a fife-and-drum band of 20 Chinese youngsters from nearby Chinatown, who put on their regular Saturday morning drill in Foley Square. The jury, ~~seen inside the building~~, was not disturbed.

Jury Meeting 3d Day To Seek Cohn Verdict

By PAUL HOFFMAN

The jury in the Roy M. Cohn perjury case returned Saturday for its third day of deliberations.

As the panel of 10 men and two women neared the 20-hour mark, rumors ran rampant through the Federal Courthouse on Foley Sq., but there was no definite indication of how the jury was leaning.

Judge Dawson called the jurors into the courtroom at 12:21 a.m. Saturday and asked them the same question he had asked the night before: could the panel conclude its deliberations some time soon or would they rather stay at a hotel overnight?

Without a moment's hesitation—and without the need to consult his fellow jurors—the foreman, Harold T. Bertha, a

soft-drink salesman from Pearl River, answered:

"Your honor, I think you'd better make arrangements again."

Judge Dawson thanked the jurors for their "careful deliberate consideration" thus far—then excused them until 10 a.m. Saturday. When the 12 filed into court, the jurist greeted them by saying: "It's a long time since we've met."

The jury started deliberating at 12:37 a.m. Thursday. It has been back in court three times since—an hour later to hear the testimony of prosecution witnesses read and before both overnight recesses.

After dinner Friday, Judge Dawson dropped into the still crowded courtroom for a few minutes. He quipped that he had passed the jury room—just to make sure the 12 were still there.

The white-haired, white-mustached jurist said, however, he would not consider discharging the panel unless they reported themselves deadlocked. The panel has not indicated it is.

"If they had reached an impasse they'd have been in with a few questions," he explained. The fact they haven't shows they're still considering it."

Rumors of angry arguments in the jury room filtered to the some 75 spectators who waited until the overnight recess. One reported the jury at 8-4 for acquittal. Another, circulated largely by government employees, had the panel 9-3 for conviction.

But most court observers agreed the panel appeared deadlocked, not on the overall question of guilt or innocence, but on one or two counts of the nine-count indictment.

Cohn, 37, and his co-defendants, Murray E. Gottesman, 37, are charged with perjury and ob-

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directing justice in a 1962 investigation of how four swindlers escaped indictment in the 1959 inquiry into the United Dye stock fraud.

The four were indicted by a subsequent grand jury and convicted.

Cohn spent most of Friday on the broad courthouse steps, alternately absorbing the sunshine and fresh air, posing for newspaper and television photographers and chatting with friends and law associates. After nightfall he paced nervously along the echoing corridors, chatting.

Earlier in the day, he had predicted a hung jury: "If you ever get 12 people to agree on me about anything, I'd be very much surprised."

—SWEATING— IT OUT— COHN, JURY

By Milton Lewis
Of The Herald Tribune Staff

The jury in the Roy M. Cohn perjury trial came to life at 3:30 p. m. yesterday, more than 52 hours after it got the case.

The panel called for the reading of voluminous testimony given by Mr. Cohn, his co-defendant, lawyer Murray E. Gottesman, and five prosecution witnesses.

This testimony bore hard on whether Mr. Cohn and Mr. Gottesman had met with two stock swindlers in the Hotel Pierre in August, 1959. Three perjury counts were involved in this alleged meeting.

The jury of ten men and two women, all middle-aged, got the case from Federal Judge Archie O. Dawson at 11:35 a. m. Thursday. Seventy minutes later, they asked to hear the testimony of a prosecution witness, who had been called for corroborative purposes.

The jury had not been heard from since then, except as it reported for meals and to be locked up for the night.

At no time has the jury—locked up both Thursday and Friday nights at the Manhattan Hotel—officially told the judge that it is deadlocked. It has nine counts to consider: three of perjury and four of obstructing justice against Mr. Cohn, 37, and two of perjury against Mr. Gottesman, 57. The jury must decide each count separately.

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Conviction on any count calls for a sentence of up to five years and automatic disbarment.

There was no telling, whether the jury had agreed—one way or the other—on even a single count in the indictment. The true bill stems from this: In 1959, four stock swindlers who later confessed ducked indictment when two of them, according to their testimony, shelled out \$50,000—one-third to Mr. Cohn and two-thirds to Morton S. Robson, then Chief Assistant U. S. Attorney, who, like Mr. Cohn, denied getting a penny.

As for Mr. Cohn, looking his usual natty self in a blue suit, he continued to lean toward a hung jury, though initially, on Thursday, he felt he would be acquitted quickly.

He was convinced then that the jury would agree with him that the government was out to "get" him

because of his differences with Attorney General Robert F. Kennedy. Mr. Kennedy was counsel to the Democratic minority when Mr. Cohn was chief counsel to the Investigating Committee headed by the late Sen. Joseph R. McCarthy.

Mr. Cohn, who had been an Assistant U. S. Attorney in the same building in which he is now sweating out a jury as a defendant, estimated yesterday that he had taken part in the prosecution of about 200 cases during the four years he was a Federal prosecutor, ending in 1952.

And in all those cases, according to the slightly built Mr. Cohn, only one defendant wound up with a hung jury, with his four co-defendants, however, being convicted. That was a counterfeiting case.

Mr. Cohn bemoaned the fact that he had to be in court yesterday and thereby cancel his usual Saturday luncheon

date with a group of friends, including judge of various courts. He found it difficult to understand why the jury took so long.

Because of the Saturday quiet in sun swept Foley Square, there were only a handful of strangers in the courthouse, with the bulk of the persons present being from the Cohn entourage. And where Mr. Cohn held "court" on the steps of the U. S. Court House Friday afternoon, Judge Dawson did so most of yesterday morning, sitting on the base of a huge stone pillar holding up the building's facade.

He willingly posed for pictures, including several with a six-year-old boy pointing a toy pistol at him.

"You going to shoot the judge?" Judge Dawson chuckled at Matthew Anderson, son of Eugene Anderson, chief of U. S. Attorney Robert L. Morgenthau's Civil Division. "Bang Bang!" cried the boy as the silver-haired judge

roared.

Death of Juror's Kin Brings Cohn Mistrial

By NORMA ABRAMS and LEEDS MOERLEY

After 17 days of testimony and four days of deliberations by the jury, the Roy Cohn perjury and obstruction of justice trial ended abruptly in a mistrial in Federal Court last night because of the death of a woman juror's father.

The government was willing to excuse the bereaved juror, Mrs. Aribelle E. Mabrey, 46, who was Juror No. 11, and let the remaining 11 try to reach a verdict. But counsel for Cohn and his co-defendant, Murray E. Gottesman, refused.

All this was decided at a series of huddles in the chambers of Judge Archie O.



(NEWS foto by Arthur Buckley)
Roy Cohn walks his dog, John,
outside Federal Court.

Dawson, the trial judge, that ran from about 7:45 to 9:15 P. M. At 9:10, the judge was handed a note from the jury asking to be allowed to recess for the night. Explain

that the jurors were not and some of them felt a little frazzled.

Breaks News to Juror

Judge Dawson then called in Mrs. Mabrey and gently broke the news that her father, James Gaston, had died, apparently of a heart attack, at about 5 P.M. in his furnished room at 218 W. 14th St. Mrs. Mabrey, of 2190 Madison Ave., said she would like to be excused and all concerned agreed.

Court was then reconvened, the jury was brought into the courtroom and Judge Dawson announced from the bench what had happened. He said Assistant U. S. Attorney Gerald Walcott, who prosecuted the case, was willing to continue with 11 jurors but the defense was not.

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Questioning the government's case, the judge then asked:

"Under the circumstances, do you move for a mistrial?"

"I certainly do," Raichle replied. Dawson then formally declared the mistrial, thanked the jurors for service "far beyond the call of duty" and commented that it was "unfortunate" that "all the time and money spent on this trial has been wasted."

Docketed for Today

The government, announcing that a new trial will be sought as quickly as possible, promptly moved to place the case back on the criminal calendar and Dawson formally docketed it for this morning. However, he has another trial coming up tomorrow, which means the Cohn-Gottesman case will have to be set aside until that is finished. It is customary to assign the same judge in a retrial.

Cohn was charged with three counts of perjury and four of obstructing justice and Gottesman with two counts of perjury. The indictment accused them of lying to a 1962 grand jury investigat-

ing how four swindlers escaped indictment in a 1959 investigation of the \$5 million United Dry & Chemical Corp. stock fraud case.

Pressure Charged

The government contended during the trial that Cohn and Gottesman brought pressure to bear on the U.S. attorney's office in 1959 to keep Samuel Garfield, Al-lard Roen, Allan Swann and Irving Pasternak off the indictment. Witnesses testified a \$50,000 payoff was involved. A later grand jury did indict the four and all pleaded guilty.

The case went to the jury last Thursday. As the jurors were being dismissed last night, there were rumors that they had agreed upon convictions on one count of perjury against each defendant and one count of obstruction of justice against Cohn. But one juror was quoted as saying they were "hung up on several counts."

The increasing bitterness that had marked the case carried through to the very end. Thomas Boland, a Cohn law partner and associate counsel who also testi-

fied for the defense, encountered the jury foreman, Harold T. Bertha, in a corridor as Bertha was leaving and quoted the latter as saying:

"I'm ashamed of you. Why didn't you take the 11? You had nothing to be afraid of."

But Assistant U.S. Attorney Donald Cohn (no relation to Roy) said he witnessed the exchange and quoted Bertha as saying Boland and Roy Cohn were "a shame to the court."

Roy Cohn, himself a onetime assistant U.S. attorney but better known as counsel for the late Sen. Joseph R. McCarthy's investigating committee, departed with a denunciation of the "nonsense trial" and the "few temporary office holders who had a grudge against me"—which he blamed for the whole prosecution.

For all his own counsel's refusal to let 11 jurors finish the case, Cohn assured reporters he was confident that a verdict of 11 or even 10 jurors would have been in his favor. This represented a marked change of tune from what he had been saying previously.

During the trial he repeatedly told newsmen he expected a hung jury. But during the day yesterday, he seemed to become increasingly pessimistic and declared "all bets are off."

As he descended the steps of the court house, he said he felt as if he already had served a sentence because of the long, grueling wait.

Gottesman had no comment.



(NEWS photo by Frank Russo)
Co-defendant Murray E. Gottesman leaves Federal Court.



Roy Cohn talks to newsmen outside Federal Court after mistrial motion was granted. (NEWS photo by Frank Russo)

Mistrial in Cohn Case; U.S. to Seek New Test

By JOSEPH COHEN

The Federal Government goes into court today to seek a new trial for attorneys Roy M. Cohn Jr., and Murray Gottesman on charges of perjury and obstruction of justice.

The case will probably not come up immediately, since Federal Judge Archie H. Dawson is scheduled to begin another trial today and that would have to be concluded before he could sit again to hear the case against the two attorneys.

It is court custom to have the same judge sit when a case is re-tried.

The first trial ended in a surprise declaration of mistrial last night when the father of one of the jurors died, forcing the panel's dismissal.

Mr. Cohn expressed his regret at the manner in which the trial came to a halt.

"I'm sorry, I think if the jury was able to complete its deliberation, there would have been an acquittal," he added. "About a new trial, it's a little early to worry about that."

JUROR'S FATHER DIED

Judge Dawson's ruling came after 14 days of testimony and more than 20 hours of deliberation by the jury of 10 men and two women over a period of four days.

The dramatic announcement, at 9:31 p.m., followed news of the death of James Gaston of 512 W. 149th st., Harlem, father of Mrs. Arabella Mayberry of 2194 Madison ave.

Only two hours before, the jury had reported it was "making progress" towards reaching a verdict.

At the end, the jury was

reported as being unanimous for acquittal of Mr. Cohn on four counts and deadlocked on three other counts against him and on two others against his co-defendant, Murray Gottesman, 57.

But it had been apparent that it would have taken the panel at least another day to reach its verdict. Minutes before the mistrial announcement, it had sent word to Judge Dawson, in substance: "Our nerves are frazzled. May we go to a hotel for the night now?"

ASKED VERDICT BY 11

In a bid to end the trial, Judge Dawson asked opposing counsel whether they would accept a verdict by 11 jurors. The Government agreed. But the defense refused.

Members of the jury were dismayed at the mistrial. One,

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Mrs. Frances Yohay of 1208 Convent Ave., Bronx, said:

"We all put our heart and somewhere . . . There was much soul into this. We were getting conflict, but we were beginning to see eye to eye."

News of Mr. Gaston's death swept through the courthouse as the jury returned from a dinner recess and prompted a series of conferences between Judge Dawson and the Attorneys for both sides.

When the defense attorneys exercised their privilege to decline to have the 11-member jury continue its deliberations, the government lawyers made one last attempt to seek an end to the trial. They asked Judge Dawson to accept the decision of the 12 jurors on any counts on which they already had agreed.

NO PRECEDENTS

Judge Dawson asked the attorneys to produce legal precedents for such a ruling. The attorneys hurriedly consulted books in the courthouse law library but returned to the judge's chambers a half hour later without the precedents.

Mr. Cohn and Mr. Gottesman had been charged in nine separate counts of lying and



MURRAY GOTTESMAN
Co-Defendant in Cohn Case
Journal-American Photo by Seymour Zee

obstructing a 1962 grand jury investigating how four swindlers had escaped indictment in 1959 in the \$5 million United Dye and Chemical Corp. stock fraud case.

The charges against Mr. Cohn could bring a 35-year prison term and \$26,000 fine. Mr. Gottesman could receive 10 years and a \$4,000 fine.



ROY M. COHN
"I Regret . . ."
Journal-American Photo by Seymour Zee

Roy Cohn Mistrial Ruled Upon Death Of Juror's Father

Government Sought Verdict
In Perjury Case by 11 on
Jury but Defense Objected

U.S. May Seek a New Trial

By a WALL STREET JOURNAL Staff Reporter

NEW YORK—A quirk of fate caused a mistrial in the Government's prosecution of Roy M. Cohn on charges of perjury and obstruction of justice.

Shortly after dinner on the fourth day of deliberation by a jury of 10 men and 2 women, the court was notified of the death of the father of juror number 11, Mrs. Muriel E. Mabrey, of New York City. Mrs. Mabrey wasn't immediately told, while the judge, the prosecutor and defense attorney scurried to find legal precedents and to determine what action should be taken.

At 9:19 p.m. (EST) the jury was called into the courtroom. Mrs. Mabrey's expression indicated she had learned of her father's death. Federal District Judge Archie O. Dawson didn't announce what had happened, nor did he name the juror, but he said sad news had been received and that the juror concerned should be allowed to go home.

Judge Dawson said the Government would abide by the verdict of 11 jurors. But Frank G. Raichle, Mr. Cohn's chief counsel, declared, "Your honor, we would like to have this case decided by a Constitutional jury of 12." Mr. Raichle's motion for a mistrial was accepted.

The Government must now determine whether to seek another trial of Mr. Cohn and his co-defendant, Murray Gottesman.

Earlier yesterday afternoon Robert Morgenthau, U.S. Attorney for the Southern District of New York, said that if the jury failed to agree on a verdict the Government would press for a quick retrial. This could come in about a month.

"It Is Unfortunate"

"It is unfortunate that all this time and money have been lost," Judge Dawson remarked. "Another jury will have to decide."

There had been indications the jury might be unable to reach a verdict, and Mr. Cohn had predicted a hung jury.

The charges stemmed from allegations that Messrs. Cohn and Gottesman had a hand in making the indictment in August 1960 of four persons associated with the \$5 million United Dye and Chemical Corp. stock-fraud case.

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DATED 4/20/64

PAGE 4

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~~The four~~ men are Samuel S. Garfield, a gambler and oil promoter; Irving Pasternak, his partner; Allen K. Swann, their attorney, and Allard Roen, manager of two Las Vegas hotels and an associate of Garfield.

Although they weren't made defendants in the 1959 indictment, all were indicted in 1960 and 1961. Early in 1962 they pleaded guilty to part of the charges. The Federal grand jury that indicted Messrs. Cohn and Gottesman last Sept. 4. was investigating the omission of the four United Dye associates from the 1959 indictment. It learned that in August 1959 Mr. Cohn had been contacted by Garfield, that Mr. Cohn talked to Mr. Gottesman and that Mr. Gottesman, in turn, went to Morton S. Robson, then chief assistant U. S. Attorney for the Southern District of New York.

The grand jury said it indicted Messrs. Cohn and Gottesman because it believed they lied under oath in 1962 and 1963 and attempted in other ways to prevent the grand jury from learning the truth about their relations with the United Dye group.

Testimony Against Cohn

Garfield, Swann, and Roen testified against Messrs. Cohn and Gottesman. Garfield said he arranged in 1959 to split \$50,000 between Messrs. Cohn and Robson. Garfield said he gave one-third of the money in cash to Mr. Cohn in Las Vegas. Roen testified he gave the other two-thirds in cash to a man who identified himself as Mr. Robson in the lobby of the Desert Inn in Las Vegas, one of the hotels Roen manages.

No bribery charges were filed, and no action was brought against Mr. Robson. Mr. Robson testified for the defense and denied any improper actions; he said he had never been in Las Vegas.

The defense contended that Mr. Cohn, an acquaintance and business associate of Garfield, Roen, and some of their friends, was asked by Garfield for legal advice in August 1959. The defense said Mr. Cohn arranged a meeting between himself, Garfield, Swann, and Mr. Gottesman in New York shortly before the indictment. As a result, Mr. Gottesman was allegedly retained to make a legitimate call on Mr. Robson to arrange for Swann to testify to the grand jury.

Garfield and Swann testified that there was no such meeting and that they never met Mr. Gottesman. The defense countered with the charge that Garfield, Swann and Roen, who haven't been sentenced in the United Dye case, were lying in the hope of getting off lightly.

'SORRY FOR JUROR'S MISFORTUNE'

Cohn Buoyant as Tense Waiting Ends

By WILLIAM McFADDEN

Nothing could quickly remove the deep, dark circles underneath his eyes.

They were the result of days of tense waiting as the jury moved toward a verdict which could mean his complete vindication—or conviction, public disgrace, heavy fines, imprisonment, and disbarment.

But a new jauntiness of step and buoyancy of spirit came to Roy M. Cohn, the former Assistant U. S. Attorney and former "boy wonder" counsel to the late Sen. Joseph E. McCarthy, when he heard Federal Judge Archie E. Dawson declare a mistrial last night in the Government's case against

him for perjury and obstruction of justice.

CENTER OF CROWD

Instantly, while still in the courtroom, Mr. Cohn became the center of a crowd of well-wishers, all eager to shake his hand.

With an open display of confidence, he declared, "I

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think if the jury was able to complete its deliberation, there would have been an acquittal.

"I thank God for this country in which I have been able to present my case."

Out in the Foley Square courthouse corridor, he showed his emotional release by playfully grabbing the arm of an associate and laughing and shaking hands.

CAMERA LIGHTS .

In a knot of people, camera lights shining in his face, he conducted a series of impromptu press conferences as he slowly descended the

courthouse steps.

"I am sorry for the juror's misfortune," he said. "But I regret the jury could not finish its work. I am sure there would have been a verdict of acquittal . . ."

He spoke of the case itself:

"I am innocent of the charges. I am happy to have had a jury which was fearless and refused to knuckle under to the many pressures . . ."

LONG WAIT .

And then the memory of the long wait came back:

"I feel as if I already have

served a sentence, because of long wait . . ."

The strain had been with Mr. Cohn for four long days, ever since the jury went out last Thursday. Today, at least temporarily, the strain is gone.

During the afternoon, he walked his Dalmatian dog, take, outside the Federal Building while the jurors deliberated.

Death in a Juror's Family

Bizarre Mistrial for Roy Cohn

THE FOUR FRUITLESS DAYS

By Milton Lewis
Of The Herald Tribune Staff

The Roy M. Cohn perjury case ended in a twist-of-fate mistrial at 9:25 last night because of the death of the father of a woman juror. The jury had deliberated four days.

The four alternates on the Federal Court panel had been discharged by Judge Archie O. Dawson when deliberations began at 11:35 a. m. Thursday, following his charge to the jury. The trial started March 23.

Gerald Walpin, the chief prosecutor, was visibly upset last night. Almost immediately he announced he would seek a retrial as quickly as possible. Mr. Cohn, obviously elated by the dramatic, unexpected development, made it plain he was in no rush for a retrial, saying, "I just got through with this one."

The mistrial—granted over Mr. Walpin's bitter objections—occurred immediately after the jury notified the judge by a note that its nerves were "frazzled" and that it would like to be locked up for a fourth consecutive night.

The note arrived even as argument was going on in the judge's robing room, adjacent to the trial room.

Mr. Walpin had petitioned the judge—before the jury was discharged—to poll it to determine if it had come to a conclusion on any of the nine counts in the indictment, seven against Mr. Cohn and two against his co-defendant, lawyer Murray E. Gottesman. This move was opposed by the defense.

The judge sided with the defense, even though the jury had told the court four hours previously, "We are making very good progress."

This "progress" report, made at 5:10 p.m., sent shudders through the defense, which expected a verdict within the next few minutes. But at 6 p.m., the jury went to dinner, being transported in a prison van because of rain.

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THE FATAL WORD

When it returned at 7:45 p.m., with the siren on the van blaring through the misty Foley Square area, the judge had received word from the Police Department that the father of juror No. 11, Mrs. Archelle E. Mabrey, of 2190 Madison Ave., had died. She was one of the women on the jury.

Judge Dawson immediately summoned consulting counsel to his retiring room and notified them of the death. Mrs. Mabrey, at that point, had not been informed.

The defense took the view that since no official decision had been reached by the jury on any count, Mrs. Mabrey should be notified and that she should not be expected to continue to sit in judgment.

The defense made it plain it would not continue to proceed with only 11 jurors, although the prosecution had readily agreed to the plan.

And as argument continued in that robing room, with opposing sides running to the law books, the note from the jury arrived, saying the jurors would like to be sent to the Hotel Manhattan again for the night.

It was at that point, that Judge Dawson—clutching the note—ended all argument and summoned Mrs. Mabrey. He notified her of her father's death. She began to cry and told the court she would like to go home at once.

A moment later the jury filed into court, with Mrs. Mabrey seemingly in a daze as she took seat No. 11 in the jury box. She leaned forward; she had a glazed look in her eyes, but tried hard to maintain her composure.

Judge Dawson, now speaking from the bench in open court before an audience made up in great part of Cohn cohorts, disclosed for the record that the defense refused to continue with only 11 jurors, "so we will declare a mistrial."

Frank G. Kitchin, Mr. Cohn's chief counsel, then made a motion for a mistrial, saying that his client was constitutionally entitled to be judged by a jury of 12 persons and that he intended to cloak himself in the Constitution.

The Judge then granted a defense motion similar to one the court had already granted on its own motion, and Judge Dawson said, "It was unfortunate that so much time and money had been lost" by this mistrial, adding: "Another jury will have to consider the same problem."

The Judge concluded:

"The jury is discharged with thanks. A mistrial is declared."

Mr. Cohn, 37, and Mr. Gottesman, 37, smiled broadly.

The 10 men and two women of the jury filed out. One juror then said that the panel had stood for acquittal on four counts involving Mr. Cohn and leaned 3 to 4 and 9 to 3 for conviction on two other counts involving Mr. Cohn. He also was named in a seventh count. In all, Mr. Cohn was charged with three counts of perjury and four of obstructing justice. Co-defendant Gottesman was named in two perjury counts.

It was the contention of Mr. Cohn that Attorney General Robert F. Kennedy was out to "get" him. Both served on the staff of the investigating committee headed by the late Sen. Joseph R. McCarthy. Mr. Kennedy had been counsel for the Democratic minority and Mr. Cohn had been chief committee counsel.

Mr. Cohn's indictment stemmed from the fact that four swindlers involved in the \$5 million United Dye & Chemical Corp. stock fraud ducked indictment in 1959. (All four later were indicted and pleaded guilty.) Two of the four testified at the 21-day Cohn trial that they paid out \$50,000 to avoid indictment in 1959.

THE LIE DIRECT

They swore that one-third of the \$50,000 went to Mr. Cohn and two-thirds to Morton Robson, chief assistant U. S. attorney in 1959. Both Mr. Cohn and Mr. Robson gave the lie to this testimony and S. Hazard Gillespie, the U. S. attorney in 1959, testified that it was his (Gillespie's) decision not to indict the four in 1959, but in 1960.

In any event, U. S. Attorney Robert M. Morgenthau emphasized late last night that Mr. Cohn and his co-defendant will be retried as quickly as possible, preferably before a jurist other than Judge Dawson. The prosecution in the trial that just ended in an anti-climax was most unhappy with Judge Dawson's handling of the case, especially his charge to the jury, which the government bemoaned and the defense praised highly.



Harold T. Evans photo by IRA ROSENBERG

How the Jury Stood

Here are the counts involved, and how the jury stood on each one when Federal Judge Archie H. Dawson declared a mistrial in the Government's case against Roy M. Cohn Jr. and his fellow attorney Murray Gottesman:

COUNT 1—Dismissed for lack of evidence.

COUNT 2—That Mr. Cohn lied when he denied he sent W. D. Fugazy to Detroit in 1959 to speak to Samuel Garfield and Allard Roen about a grand jury investigation. The jury was deadlocked.

COUNT 3—That Mr. Cohn lied when he denied he caused a message to be sent asking Moe Dalitz to return from Europe. The jury was unanimous for acquittal.

COUNT 4—That Mr. Cohn lied when he said he and Mr. Gottesman met on Aug. 19, 1959, in the Pierre Hotel with Garfield and others. Deadlocked.

COUNT 5—That Mr. Cohn endeavored to intimidate Roen about grand jury testimony. Roen was to give. Unanimous for acquittal.

COUNT 6—That Mr. Cohn got Mr. Fugazy to communicate threats to Roen about grand jury testimony. Unanimous for acquittal.

COUNT 7—That Mr. Cohn sent threats to Garfield attempting to influence his grand jury testimony. Unanimous for acquittal.

COUNT 8—That Mr. Cohn attempted to influence Mr. Fugazy to give false testi-

mony to the 1959 grand jury. Deadlocked.

COUNT 9—That Mr. Gottesman lied to a grand jury on June 8, 1962, when he told them he and Mr. Cohn met with Garfield and others Aug. 19, 1959, in the Pierre Hotel. Deadlocked.

COUNT 10—That Mr. Gottesman lied before a grand jury again on July 31, 1963, when he once more testified about the alleged Aug. 19, 1959, hotel meeting. Deadlocked.

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Cohn Mistrial Is Declared After Juror's Father Dies



The New York Times (by Larry Morris)

Roy M. Cohn leaves the Federal Building after the ruling

Government Says It Will Move for New Perjury Trial—Verdict Appeared to Be Near After 4 Days of Deliberation

By HOMER BIGART

The perjury trial of Roy M. Cohn ended in a mistrial last night because of the death of a juror's father. Federal Judge Archie O. Dawson declared a mistrial at 9:25 P.M.

after the juror, Mrs. Arielle Mabrey of 2190 Madison Avenue, was told that her father, James Gaston, had died during the day.

The motion for mistrial was made by Frank Raichle, lawyer for Mr. Cohn, who said that his client would not waive his constitutional right to a jury of 12 persons.

United States Attorney Robert M. Morgenthau said last night that the Government would move for a new trial "as soon as possible."

(Indicate page, name of newspaper, city and state.)

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Asked to Go Home

He ~~was~~ that Judge Dawson's decision to tell Mrs. Mabrey of her father's death was a moral decision and was not based on legal precedent. He added that once Mrs. Mabrey was told of her father's death, she could have chosen to remain on the jury, but instead had asked to go home.

The case had gone to the jury Thursday morning. After four days of deliberation the jury had seemed near a verdict as it went to dinner last night.

The jury's foreman, Harold T. Bertha, of Pearl River, N. Y., a soft drink salesman, had told Judge Dawson: "We are making good progress."

But while the jury was at dinner, the Police Department called the Federal Building with news of the death.

News Withheld an Hour

The development produced great tension in the courtroom.

Mr. Cohn paced the floor nervously, then slumped in a chair. He ran a hand through his thinning hair.

The news of her father's death was withheld from Mrs. Mabrey for more than an hour while Judge Dawson tried to decide whether to excuse her immediately and risk a mistrial, or withhold the information in the hope that the jury would reach a verdict.

Government and defense lawyers raced back and forth from courtroom to the law library, seeking precedents on the propriety of keeping from a juror the news of death in the immediate family.

At 8:05 P.M. Judge Dawson

received a note from the jury, asking permission to retire to a hotel. It was then that Judge Dawson decided to call Mrs. Mabrey to his chambers and tell her of the death of her father.

At 9:20 the jury filed in for the last time. Mrs. Mabrey was weeping and the other jurors looked tired and grim.

Judge Dawson announced to the courtroom that he had received "very sad news." He said juror No. 11, Mrs. Mabrey, "properly wants to go home, and I think she should."

The judge said that he had asked Gerald Walpin, the prosecutor, and the defense if they were willing to continue the trial with 11 jurors. The prosecution had consented, but the defense had refused, he said.

Turning to Mr. Raichle, the judge asked: "Under the circumstances do you move for a mistrial?"

"I certainly do," Mr. Raichle replied.

Judge Dawson then said: "The jury is discharged with the thanks of the Court."

As soon as the jury left, Mr. Cohn was surrounded by friends. He seemed happy, and embraced some of them.

"I have no bitterness; I have no hate," he told newsmen. "I am thankful I do live in a country where I could make this defense."

He repeated his charge that the case against him was produced by personal enemies waging an anti-Cohn vendetta. Before the trial started he had blamed Attorney General Robert F. Kennedy and Mr. Morgenthau.

"A few people are out to get me," he said. "But the United States Government is not out to get me. I have no complaints, only thankfulness."

Hundreds of persons surrounded Mr. Cohn as he left the courthouse. Camera lights shone in his face as he slowly descended the steps, conducting a series of press conferences on the way.

"I'm not going to worry now about the next trial," he said. "It's a little bit too early."

Mrs. Sobell in Crowd

At the edge of the crowd stood Mrs. Helen Sobell, wife of Morton Sobell, the convicted atom spy who Mr. Cohn helped prosecute in 1951 in a trial that sent Julius and Ethel Rosenberg to the electric chair. Mrs. Sobell had followed the case with interest.

"I feel that Roy Cohn should have accepted a verdict of an 11-person jury," she said.

Earlier in the day the jury, which had not given the slightest clue as to where it stood, suddenly requested information on the last two counts of a nine-count indictment involving Mr. Cohn's codefendant, Murray E. Gottesman.

Mr. Cohn and Mr. Gottesman were accused of lying to a grand jury that was investigating why four swindlers escaped indictment in the \$5 million United Dye and Chemical Corporation stock fraud in 1959.

Seven counts of the indictment named Mr. Cohn; three alleging perjury and four citing him for obstruction of justice. Mr. Gottesman was named in two counts alleging perjury. Each count carried a maximum sentence of five years.

The two counts naming Mr. Gottesman, which were related to a perjury charge against Mr. Cohn, alleged that Mr. Gottesman had lied to a Federal grand jury about a hotel meeting.

The jury wanted to know why the two counts against Mr. Gottesman were separate, when they were related to the same incident.

Judge Dawson explained that the Government charged that Mr. Gottesman had lied twice about the meeting, once to a grand jury in 1962 and to a different grand jury in 1963.

Mr. Cohn is the 37-year-old former "boy wonder" who made a brilliant career of prosecuting alleged Communists, first as an assistant United States Attorney here, and later as aide



The New York Times
**LEAVES COURT: Murray
E. Gottesman, codefendant
in Cohn case last night.**

to Senator Joseph R. McCarthy.
Three jurors said in inter-

views last night that at the time of mistrial the jury had voted to acquit Mr. Cohn on four counts and had stood strong for conviction on two counts that alleged perjury.

On the seventh count against Mr. Cohn, one accusing him of obstructing of justice, two of the jurors said the jury leaned toward conviction. The third juror said the jury favored acquittal.

The jury was split, they said, on the two counts of perjury against Mr. Gottesman.

One juror said the vote was 11 to 1 against Mr. Cohn on Count 4, which alleged that Mr. Cohn lied to the grand jury about a purported meeting with the grand jury. But Garfield stock swindler in the Hotel Pierre in 1959.

The three jurors agreed that the jury was not hopelessly deadlocked and that it could have reached a verdict today.

The hotel meeting that Mr. Cohn and Mr. Gottesman, who

is also a lawyer, were alleged to have fabricated, was said to have taken place at the Pierre on Aug. 19, 1959. The meeting supposedly involved Mr. Cohn and Mr. Gottesman and two of the swindlers involved in the investigation of the United Dye case.

Mr. Cohn and Mr. Gottesman were accused of fabricating this meeting in an effort to cover up their attempts to fix a 1959 indictment so that the swindlers would not be named.

The defendants testified that they met the two swindlers, Samuel S. Garfield and Allen K. Swann, in the Pierre to arrange for Swann's appearance before the grand jury. But Garfield and Swann testified for the Government that the meeting had not taken place.

Mr. Gottesman made a brief statement maintaining his innocence and expressing confidence that he would be vindicated in a new trial.

(Mount Clipping in Space Below)

Roy Cohn's Mistrial— What the Jurors Say

By PAUL HOFFMAN

Roy M. Cohn would have been convicted by a federal court jury had the deliberations continued, several members of the jury indicated to The New York Post today.

The foreman—Harold T. Bertha, a soft-drink salesman from Pearl River—said the jury probably would have reached its verdict some time today.

That verdict, these panelists said, would have found Cohn and his codefendant Murray E. Gottesman guilty on two or three counts of the nine-count indictment.

Final ballots were running 9-3, 10-2 and 11-1 for conviction, these jurors said.

Cohn, the one-time "boy wonder" of the U. S. Attorney's office and the McCarthy Senate Investigating subcommittee who now heads a New York law firm, won a mistrial last night because of the death of a juror's father, James Gaston.

The panelists identified the bereaved juror—Mrs. Aribelle Mabrey of 2190 Madison Av.—as the last holdout for Cohn.

Judge Dawson discharged the panel at 9:21 p.m., after nearly four full days of deliberation.

New Date Due

The date for a new trial will be set today in Federal Court. Cohn indicated he won't be there—but will be down the street in Supreme Court where he is attorney of record in an annulment case. Associates have been handling the trial until now.

(Lawyers believe that most defendants who got a second trial after a mistrial have a good chance of acquittal. The reason most often suggested is that the defense has had a look at the prosecution's entire case.)

When Mrs. Mabrey was excused, the prosecution—headed by Asst. U. S. Atty. Walpin—asked to proceed with 11 jurors. Federal law allows this if both sides agree. The defense did not



Post Photo by Pomerantz

ROY M. COHN

and moved for a mistrial.

"The defendant has a constitutional right to a jury of 12," said Cohn's lawyer, Frank Raichle.

Foreman Bertha bitterly denounced the defense action and outside the courthouse engaged in a vehement discussion of the issue with Thomas A. Bolan, associate defense counsel and a partner in Cohn's law firm, Saxe Bacon & O'Shea, 598 Madison Av.

"It's a shame the way the courts are abused," Bertha said as he headed for home. "Why couldn't we have stayed in there with 11 men and tried the case? What was being hidden?"

Cohn expressed his confidence

Indicate page, name of newspaper, city and state.)

3 NEW YORK POST

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that the jury would have acquitted him.

According to the jurors, it looked that way when they received the case Thursday morning after 18 days of trial. The first vote ran roughly 8-4 for acquittal, they said, and the stand-off continued through Friday and Saturday. Cohn even won acquittal on four counts.

"The big break came yesterday morning," one juror said, "after the reading of the testimony."

He referred to testimony — reread late Saturday night — about an August, 1959 meeting at the Hotel Pierre of Cohn, Gottesman and two swindlers in the United Dye stock fraud case.

The government charged that no such meeting occurred and that the story was fabricated by Cohn and his associates to conceal their attempts to fiv the grand jury's investigation.

Bribe Charged

Two convicted swindlers testified that they fixed the inquiry with a \$50,000 bribe, split by Cohn and Morton S. Robson, then Chief Asst. U. S. Atty. Both Cohn and Robson denied the charges.

"Yesterday morning, some of the boys went to church," he continued. "The others were permitted to visit one another [in the rooms and corridors of the Hotel Manhattan]. We got things straightened out then."

"When we got into the jury room after lunch, we had a more definite decision on those counts. The vote was 11-1 with a possibility of all agreeing on guilty—providing we could agree on the other counts."

The jury was also reportedly prepared to convict Gottesman of perjury, but on only one count.

Two counts related to Gottesman's accounts of the Hotel Pierre meeting—one before a 1962 grand jury, the other before a 1963 panel.

"We gave him the benefit of the doubt in the first case," a juror explained.

Cohn Charge Grudge

After the mistrial declaration, Cohn held an impromptu press conference on the courthouse stairs. He said he was thankful that he lived in a country where he could have a fair trial, even though "a few temporary officeholders who have a grudge against me" are "out to get me."

This was a reference to his of-repeated charge that he was "framed" by Atty. Gen. Kennedy and U. S. Atty. Moregen-thau in revenge for his work with the late Sen. Joseph R. McCarthy (R-Wis.).

U.S. Asks Fast Cohn Retrial

Less than a day after the Roy M. Cohn-Murray E. Gottesman mistrial, the government yesterday asked Federal Judge Edward Weinfeld "for as speedy a retrial as possible."

Defense counsel objected to being "rushed." Weinfeld gave them until tomorrow to submit papers to Chief Judge Sylvester J. Ryan requesting that he reassign the case to a trial judge as a Rule Two case, and indicated he would set a new trial date tomorrow if the rule were not invoked. Ryan extended the time for defense motions to Friday.

About Rule Two

Under Federal Rule Two, the chief judge has the right to designate a particular judge to handle all aspects of complicated, special cases. Otherwise, a case goes on the regular criminal calendar for assignment, usually to the judge who presided at the first trial.

The mistrial was ordered Sunday because there was no alternate to take the place of a juror whose father died.

State Law Different

Under federal law, there are four alternates. The alternates in the Cohn-Gottesman trial, in accordance with routine procedure, were dismissed when the regular jury began deliberating on Thursday.

Under state law, after a jury begins deliberations the alternate jurors are locked up separately but are available as substitutes if needed.

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For Cohn— Fast Retrial Or a Delay?

By Milton Lewis
Of The Herald Tribune Staff

"What's the rush?" the defense asked yesterday as the government wasted no time in demanding a "speedy" perjury retrial for Roy M. Cohn.

The prosecution move was made in Federal Court right after it opened for business. This was less than 14 hours after the jury in the Cohn case, which had been deliberating over a four-day period and was approaching a verdict, was dismissed and an anti-climatic mistrial was called at 9:25 p. m. Sunday by Judge Archie O. Dawson. Reason: the father of one of the jurors had died.

It was learned that when the Police Department advised Judge Dawson of the death, the FBI was immediately assigned, at the request of the government, to check the death report. It found it to be true.

The decision as to what judge will preside at the retrial and when it will start was delayed at least until Friday, when Chief Federal Judge Sylvester J. Ryan will hear argument. It was he who assigned Judge Dawson—one of the first to be put on the bench when President Eisenhower took office—to the Cohn trial.

It is no secret that the government would prefer to have somebody else conduct the retrial, while the defense would like to have Judge Dawson again. It is customary in the Southern District of New York, based at Foley Square, for the judge who conducted the first trial to step aside and let a fellow jurist handle the second.

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Even as this question remained open, the foreman of the dismissed Cohn jury, Harold T. Bertha, confirmed that the panel stood Sunday night at 11-to-1 for the conviction of Mr. Cohn on one of the perjury counts.

"We definitely would have reached a verdict had we been allowed to continue deliberations on Monday," according to Mr. Bertha, 37, who lives in Pearl River, N. Y., and sells a soft drink.

Mr. Bertha was asked about a conversation he had Sunday night, after the jury was dismissed, with Thomas A. Bolan, one of Mr. Cohn's law partners. Mr. Bolan served as associate defense counsel during the four-week trial, and also was a defense witness. Mr. Bertha said:

"I told Mr. Bolan it was a shame the way he abused the courts of this country. I told him I thought the defense should have agreed to proceed with an 11-member jury after that woman juror's father died and she was to be excused. The government was willing to continue with 11."

Mr. Bertha was also asked to comment on what Judge Dawson told the press early Sunday afternoon: that the jury had sent to him an "almost illiterate note."

"I don't know who wrote that note," said Mr. Bertha. "Somebody passed it along to me in an envelope and I sent it along. I never read the note."

The message Judge Dawson described as an "almost illiterate note" requested a copy of the indictment, even though each of the 10 men and two women on the panel had received one the day the trial began March 23. As Judge Dawson put it while on the bench, the jurors must have "mislaid" their copies.

'WASTED TIME'

Mr. Bertha also said, in a telephone interview:

"It's a shame, with all this time and money spent, that there had to be a mistrial called. We had been deliberating four days and could have reached a decision the next day. This is a very big disappointment. It's like being left at the altar. There definitely would have been a verdict. This was four weeks of wasted time."

The jury foreman flatly denied reports that the jurors had been at each other's throats, saying, "There was nothing like that at all. As foreman I decided we would perform in democratic process and let everybody have their say."

Mr. Bertha said that the jury had not actually voted to acquit on any of the seven counts against Mr. Cohn, though he indicated there would have been disagreement on the four obstruction-of-justice counts.

He also said that on two Cohn perjury counts the jury was split, "roughly six to six," but that it stood 11 to 1 for conviction on the third perjury count involving Mr. Cohn. As to the two perjury counts against lawyer Murray E. Gottesman, who at 57 is 20 years older than co-defendant Cohn, the foreman said the jury stood at 8-to-4 for conviction.

Mr. Bertha said the jurors had "nicknames" for the judge, the lawyers and the defendants in the case, but he

refused to disclose what they were. He said: "We had some way."

In any event, both Mr. Cohn and Mr. Gottesman were frantic over Sunday night's development, while the prosecution, headed by Gerald Walpin, was crestfallen. Mr. Walpin tried desperately to get the defense to go along with 11 jurors after James Gaston, the father of juror No. 11, Mrs. Arabelle E. Mabrey, was dead on arrival at a Harlem hospital. Mrs. Mabrey lives at 2100 Madison Ave.

The first thing yesterday morning, Mr. Walpin, opposing counsel and defendant Cohn appeared in Federal Court before Judge Edward Weinfeld. He was sitting in the calendar part, to which Judge Dawson referred the case after the mistrial Sunday night.

Mr. Walpin petitioned Judge Weinfeld, who presided at the conspiracy to obstruct justice trial of former Supreme Court Justice J. Vincent Keogh, to "assign this case out as soon as possible for as speedy a retrial as possible." The 32-year-old prosecutor added, "All sides know by now what the case is all about, and the interests of justice can best be served by a speedy trial."

SEVERANCE

Frank G. Raichle, of Buffalo, Mr. Cohn's chief counsel, argued that he first had various motions in mind, that he had commitments to other clients, and his mother was ill. Mr. Raichle maintained further that the case should be taken off the criminal calendar, maintaining it was a "Rule 2 case," meaning that the whole matter should be referred to Chief Judge Ryan, who would assign the trial judge again.

Henry K. Chapman, counsel for Mr. Gottesman, who was not in court to accompany the still dapper Mr. Cohn, said, "If I continue with the case I will make a motion for a severance." As to the government's desire for a quick retrial, Mr. Chapman said, "I think it's just an attempt to push an issue."

Judge Weinfeld gave the defense until tomorrow to submit papers to Chief Judge Ryan. After leaving Judge Weinfeld's court, opposing sides went to see Judge Ryan. He set a hearing for 10 a. m. Friday to determine if this is a "Rule 2 case" and if he should assign a judge to it for "all purposes," including retrial.

MOODS SHIFT

The ending of the trial Sunday night followed a weekend with the defendants saying, alternately, they were "up" and "down." For instance, on Saturday, after the jury called for and heard the re-reading of certain testimony, Mr. Gottesman, clutching on a cigar, said, with tears in his eyes:

"Roy and I are dead—he on one perjury count and me on two."

Mr. Cohn said then, as he paced the marble corridors: "It doesn't look good."

But at close of court Saturday night, after the jury asked for the supplemental remarks Judge Dawson had made in his charge at the defense's request last Thursday, the moods changed drastically.

Both Mr. Cohn and Mr. Gottesman said, in effect: "We're in good shape."

And then, on Sunday, when the jury called for a fresh copy of the indictment—to use as a score card to check off the nine counts—the defense mood was down, with Mr. Cohn's chief counsel, Mr. Raichle, saying: "I don't like it one bit."

Neither, of course, did Mr. Cohn or Mr. Gottesman.

This mood turned even darker at 5 p. m. Sunday, when the jury asked the court for certain information regarding the two Gottesman counts.

"It looks like I'm convicted, along with Roy," Mr. Gottesman said. Mr. Cohn said, "All bets are off," meaning that he no longer expected the jury to be hung but to come in with a definite verdict.

The indictment stems from four stock swindlers, who later confessed, avoiding indictment in 1939. Two of them swore that they paid out \$50,000 to duck indictment, testifying that one-third of the cash went to Mr. Cohn and two-thirds to Morton S. Robson, Chief Assistant U. S. Attorney in 1939. Both Mr. Cohn and Mr. Robson swore they never got a cent.

U.S. Is Racing Clock

By Milton Lewis

Of The Herald Tribune Staff

The government is racing the clock in one phase of the Cohn case, a phase it would dearly like to complete before midnight of Aug. 24.

During the four-week Roy M. Cohn perjury case, which ended in a mistrial Sunday night because of the death of a juror's father—after the panel had been deliberating over a four-day period—there was testimony damaging to a former Assistant U. S. Attorney, Leonard R. Glass.

This testimony concerned alleged activities by Mr. Glass up to and including Aug. 25, 1959, and if he did anything wrong, a grand jury would have to act by midnight of next Aug. 24—because of a five-year statute of limitations.

Mr. Glass has not come forward to give the lie to the Cohn trial testimony, which, among other things, pictured Mr. Glass, as a Federal prosecutor, feeding grand jury questions in advance to a stock swindler in a mid-town hotel room in 1959. Mr. Glass has not been available since his name first popped up in trial testimony on March 31.

Yesterday, his lawyer, Harris B. Steinberg, refused to answer any questions, saying only that Mr. Glass, on advice of Mr. Steinberg, has nothing to say to anybody.

Mr. Glass was not a defendant in the Cohn case, which also involved charges of obstruction of justice. But



Cornell Barrister

Leonard Glass, former government lawyer involved in the Roy Cohn case.

Mr. Glass did appear before the 1962 grand jury which indicted Mr. Cohn and another lawyer, Murray E. Gottesman, who stood trial with him, for perjury.

The seven counts against Mr. Cohn and the two against Mr. Gottesman stem from the 1962 grand jury's attempt to determine how four subsequently confessed stock swindlers avoided indictment in 1959.

Two of them swore at the Cohn trial that they paid \$50,000 in fix money, testifying that one-third went to Mr. Cohn and two-thirds to Morton S. Robson, chief Assistant U. S. Attorney in 1960.

Mr. Robson, like Mr. Cohn, testified at the trial that he never got a cent and was involved in no fix. There are no

in Cohn Case

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N. Y. HERALD TRIBUNE

EDITION

APR 22 1964

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charges against Mr. Robson, who couldn't wait to get on the stand to give the lie to the testimony involving him.

But the 36-year-old Mr. Glass, now in private law practice, has remained silent.

This was the testimony heard in open court against Mr. Glass:

In August, 1959, he went to the Hotel Pierre suite of Samuel S. Garfield, oil promoter and gambler and one of the four who ducked indictment that year. And this is what Garfield quoted Mr. Glass, who was in charge of the \$5 million United Dye & Chemical Corp. grand jury stock fraud inquiry, as saying:

"He (Glass) told me he thought he'd be able to keep us out of the indictment . . . but that he had to have something to hang his hat on with his superiors. . . . He said he thought it would be all right if we could get some testimony into the grand jury pertaining to the group we wanted to keep out of the indictment."

To that, Garfield, who swore that he (Garfield) put up the \$50,000 payoff money, quoted himself as having replied to Mr. Glass, a Federal prosecutor from February, 1959, to January, 1960:

"I told him I thought I could get him some help and for him not to be concerned about it. I thought I could get some help with his superiors."

Another witness, Sidney Barkley, ex-convict and fellow stock swindler of Garfield's, testified that when he pleaded guilty in 1957 in

Detroit to manipulating securities, Mr. Glass, then in private practice, was his lawyer. So, according to Barkley, in August, 1959, he received from Mr. Glass—in Mr. Glass' own handwriting—a list of questions that he (Glass) would ask in the grand jury of Allen K. Swann, an Indiana lawyer and Garfield stooge who also was kept out of the 1959 stock fraud indictment.

There also was testimony that Barkley and Mr. Glass went to Las Vegas together immediately after the 1959 grand jury failed to indict Garfield, Swann and the two others.

Now here is where the race with the clock comes in:

All this testimony deals with acts which allegedly occurred in August, 1959, and it was on Aug. 25, 1959, that the grand jury voted not to indict those four stock swindlers. And there is a five-year statute of limitations for obstruction of justice and perjury, a statute which will run out at midnight of Aug. 24, 1964.

U. S. Attorney Robert M. Morgenthau's office is in this awkward position: If it starts a new grand jury proceeding

involving the open court testimony against Mr. Glass, it would have to call witnesses who are to testify again at the Cohn retrial—Garfield, Swann and Barkley, among others.

If the government does this, the defense would take the position that these witnesses were being "pressured" in a related proceeding. This the U. S. Attorney wants to avoid.

Consequently, the prosecution is especially eager to get the Cohn case on the road as quickly as possible—and disposed of. But the defense has made it plain it is in no hurry at all to go to trial, with Mr. Cohn saying last Sunday night, after Federal Judge Archie O. Dawson declared the mistrial:

"I just got through with this one."

However, there is no statute of limitations problem involving Mr. Cohn or his co-defendant Gottesman since they were indicted last September well before the five-year statute would run. There is no deadline for a retrial.

When discharged Sunday night, the jury, according to its foreman, stood 11-to-1 for the conviction of Mr. Cohn on one perjury count.

(Mount Clipping in Space Below)

Cohn Retrial Set for Early June; Judge Picked Over U.S. Protest

Ryan Cites Complications of Case in Selecting Bonsel to Preside in Court

By EDWARD RANZAL

Federal Judge Dudley B. Bonsel was assigned yesterday to preside at the retrial of Roy M. Cohn on charges of perjury and obstruction of justice. The trial will probably start in early June.

Judge Bonsel was selected by Chief Judge Sylvester J. Ryan, under a procedure that the Government objected to.

After the first trial of Mr. Cohn and Murray E. Gottesman, a co-defendant, ended in a mistrial last Sunday, the Government sought to have the case referred to a judge sitting in a part of the court where the United States Attorney controls the calendar.

This might have allowed the Government to maneuver the case before a judge it felt would be favorable to the prosecution.

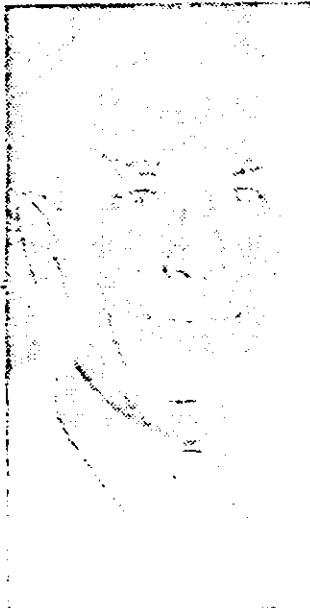
But Judge Ryan said he thought the case was complicated enough for him to assign a judge to hear all pre-trial motions and to preside at the trial. He said that the calendar of Judge Archie O. Dawson, who presided at the first trial, prevented him from presiding at an early retrial.

Gerald Walpin, Assistant United States Attorney, protested that the matter should be normally handled and not specially treated.

Angrily, Judge Ryan snapped: "I am a little concerned with what prompts you to make these statements. Are you questioning my jurisdiction? I don't think this is any special treatment."

Frank G. Raichle, lawyer for Mr. Cohn, who was not in court, supported Judge Ryan's position. He said the case involved a number of problems, including new motions and witnesses not available to the defense at the first trial.

Judge Bonsel, who was sworn in in December, 1961, was one of the first judges appointed in the Southern District of New York by the late President John F. Kennedy.



Associated Press
Judge Dudley B. Bonsel

He is soft-spoken and inclined to be genteel in approach.

Judge Bonsel's first complicated and important case was the stock-fraud trial last September of Gerardo A. (Jerry) Re and his son, Gerard F. They were convicted.

The indictment against Mr. Cohn and Mr. Gottesman, also a lawyer, grew out of an alleged attempt to prevent the indictment in 1959 of four men in a \$5 million United Dye and Chemical Corporation stock swindle.

Henry K. Chapman, Mr. Gottesman's lawyer, said that he will argue Monday for a trial severance. He said that coupling Mr. Gottesman with Mr. Cohn was "prejudicial."

In an accompanying affidavit, Mr. Gottesman said that Mr. Cohn was a controversial person, who has received a tremendous amount of publicity in the last ten years.

"This publicity was not all favorable to him and reflected adversely on me because of my being named as a co-defendant in this indictment," Mr. Gottesman said.

(Indicate page, name of newspaper, city and state.)

11 NEW YORK TIMES

Date: 4/25/64
Edition: LATE CITY
Author: EDWARD RANZAL
Editor: TURNER CATLEDGE
Title: MORTON ROBSON, former
AUSA-SINY; ROY COHN,
UNDERINVESTIGATION
Character: BRIDERY
or
Classification: BU-58-5100
Submitting Office: NYO

58-1232-SUB B

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APR 27 1964
FBI - NEW YORK

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Pick Judge for Cohn Retrial in June

Over government objections, Chief Federal Judge Sylvester J. Ryan yesterday assigned the retrial of Roy M. Cohn, 37, and Murray E. Gottesman, 57, to Federal Judge Dudley B. Borsal and suggested that trial get under way early in June.

The first trial of the two lawyers, on charges of perjury and obstruction of justice, ended in a mistrial Sunday when the father of one of the jurors died.

Judge Dawson Busy

Pointing out that Judge Archie O. Dawson, who sat at the first trial, had a busy schedule, Ryan designated Borsal as the judge who would hear all matters concerning the case before retrial, and then would preside at the trial.

The prosecution vainly argued that the case should be handled "normally."

Counts They Face

Counsel for Gottesman advised the court that he would move formally on Monday for a severance of trial on the grounds that Cohn had received widespread publicity



Roy M. Cohn
Gets new date in court

through the years, some of it unfavorable, with resulting adverse effect on Gottesman.

Gottesman faces two counts of perjury and Cohn three counts of perjury and four counts of obstruction of justice.

In the first trial, the men were

linked by a common charge of conspiracy to obstruct justice, but that charge was dismissed by Dawson.

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EDITION Final
DATED 1/25/61
PAGE 10

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58-1232-SUB B

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New Cohn Judge: Retrial in June?

By Milton Lewis
Of The Herald Tribune Staff

Federal Judge Dudley B. Bonsal, named to his current post by President Kennedy in September, 1961, will preside at the Roy M. Cohn perjury retrial, which may start in June.

After Chief Judge Sylvester J. Ryan announced this assignment yesterday, saying that the judge who conducted the first trial was tied up, U. S. Attorney Robert M. Morgenthau wasted no time in saying this was just fine with him.

Last Sunday night, after the jury had been deliberating over a four-and-a-half-day period, a dramatic mistrial was declared by Judge Archie O. Dawson because of the death of a juror's father. That 21-day trial began March 23 and, according to the jury foreman, stood at 11-to-1 for the conviction of Mr. Cohn on one perjury count.

Judge Bonsal, 57, tall and lean, will hear all facets of the case before retrial, including a motion by Mr. Cohn's co-defendant, lawyer Murray E. Gottesman, for a severance. In an affidavit, Mr. Gottesman referred to Mr. Cohn as "a very controversial person" who has received a "tremendous amount of publicity" which has "reflected adversely on me."

Should Mr. Gottesman—at 57 he is 20 years older than Mr. Cohn—receive a separate trial, it would weaken the government's case against the younger defendant, according to the prosecution, which will fight strenuously against a severance.

In his affidavit, Mr. Gottesman alleged that the film "Point of Order!" which deals with the televised hearings of the McCarthy-Army investigation of 1954, portrays Mr. Cohn as an "ogre and monster without regard to human feeling, vindictive and cruel beyond measure." Mr. Cohn served as counsel to the investigating committee headed by the late Sen. Joseph R. McCarthy.

Judge Bonsal is a former president of the Bar Association of the City of New York and is a brother of Philip Bonsal, who served as Ambassador to Cuba under President Kennedy. The judge was a close friend of the late President, and Mr. Cohn has charged that his indictment stems from a "vendetta" against him by the slain President's brother, Attorney General Robert F. Kennedy.

Chief Judge Ryan, in selecting Judge Bonsal, suggested that the trial start early in June, but Judge Bonsal—who would not talk to the press yesterday is not bound by that suggestion. It is known that he agreed to take the retrial assignment before Chief Judge Ryan announced it.

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N. Y. Herald Tribune

EDITION Late City

DATED 4/25/64

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Cohn Retrial Set for June 9 By New Judge

Tuesday, June 9, was fixed yesterday for the retrial in Federal Court of Roy M. Cohn on perjury and obstruction of justice charges.

In setting that date, Judge Dudley B. Borsal said he would hear argument some time next week on a motion by Mr. Cohn's co-defendant, lawyer Murray E. Gottesman, for a severance. He is charged with two counts of perjury.

Their first trial, which lasted four weeks, ended in a mistrial on April 19 after the father of one of the jurors died during the panel's fourth day of deliberations. It reportedly stood at 11-to-1 for conviction of Mr. Cohn on one perjury count.

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N. Y. World Telegram

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DATED 4/20/61

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Cohn's Retrial Set for June 9

Federal Judge Dudley B. Bonsal yesterday scheduled the retrial of attorneys Roy M. Cohn and Murray E. Gottesman on charges of perjury and obstruction of justice for June 9.

Bonsal announced that he would hear argument next week on the petition of Gottesman for a severance of trial. Gottesman has pleaded that linkage with Cohn was prejudicial to him.

The first trial of the two ended in a mistrial April 19 because the father of a juror died.

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N. Y. Times
EDITION Final
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PAGE 1

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Cohn and Gottesman Retrial Is Scheduled for June 9

The retrial of Roy M. Cohn and Murray E. Gottesman on charges of perjury and obstruction of justice was scheduled yesterday for June 9 by Federal Judge Dudley B. Bonsal.

The first trial ended in a mistrial last April 19 after the father of a woman juror died. The trial had lasted 21 days.

Judge Bonsal said he would hear argument next week on a motion by Mr. Gottesman's lawyer, Henry K. Chapman, for a trial severance. Mr. Chapman contends that the linking of his client and Mr. Cohn is so "prejudicial" to Mr. Gottesman that he cannot receive a fair trial.

Judge Bonsal invoked Canon 20 of the Code of Ethics of the American Bar Association in enjoining both the Government and defense counsel from making statements to the press.

(Indicate page, name of newspaper, city and state.)

26 NEW YORK TIMES

Date: 4/30/64

Edition: LATE CITY

Author:

Editor: TURNER CATLEDGE

Title: MORTON ROBSON FOR
MER AUSA SDNY; ROY COH
UNDER INVESTIGATION

Character: BRIBERY

or

Classification: BU 58-5100

Submitting Office: NYO

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Deny Cohn Pat Separate Trial For Perjury

Attorney Murray E. Gottesman today lost his bid for a severance of trial from Roy M. Cohn.

Federal Judge Dudley B. Borsal ruled that, contrary to Mr. Gottesman's claims, the latter would not be prejudiced if tried again with Mr. Cohn on perjury charges.

Mr. Cohn is also charged with obstruction of justice.

Mr. Gottesman had contended he was prejudiced because of the publicity given to Mr. Cohn before, during and immediately after the first trial and that evidence on the charges against Mr. Cohn might "spill over" and "blacken" Mr. Gottesman.

JUDGE'S ANSWER

In his denial, Judge Borsal said:

"These claims of prejudice pre-suppose either that the jury at the second trial will be so prejudiced with respect to Cohn and that this will carry over to Gottesman, or that the jury will not be able to (departmentalize) the evidence against Cohn and the evidence against Gottesman, and separately consider their respective guilt or innocence."

Judge Borsal said that "there are no complicated questions to be considered by the jury."

"Nor does the court believe that publicity will preclude the jury from performing its sworn duty to treat each defendant separately and to decide his guilt or innocence solely on the basis of the evidence presented at the trial."

Judge Borsal ruled that Mr. Gottesman failed to make "a strong showing of prejudice," concluding that "in the exercise of the court's discretion his motion is denied."

The first trial before Judge Archie O. Dawson and a jury lasted 21 days and ended in a mistrial April 19 when the father of a juror died.

Judge Borsal scheduled the second trial for June 8.

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E. T. Journal American

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DATED _____

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Co-Defendant With Cohn Loses Severance Plea

Federal Judge Dudley H. Bonsal refused yesterday to grant a trial severance to Murray E. Gottesman, co-defendant with Roy M. Cohn in a perjury case.

The two are scheduled to be retried beginning June 9. Their first trial was declared a mistrial because of the death of the father of one of the jurors.

Mr. Gottesman contended that he had been prejudiced because of the publicity given to Mr. Cohn before, during and immediately after the first trial and that evidence on the charges against Mr. Cohn might "spill over" and "blacken" Mr. Gottesman.

In denying the motion, Judge Bonsal said there were no complicated questions to be considered by the jury.

(Indicate page, name of newspaper, city and state.)

31 NEW YORK TIMES

Date: 5/13/64
Edition: LATE CITY
Author:
Editor: TURNER CATLEDGE
Title: MORTON ROBSON FOR
MER AUSA SDNY; ROY COHN

Character: BRIBERY
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Classification: BU 58-5100
Submitting Office: NYO

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MAY 13 1964
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Deny Split Bid In Cohn Case

Federal Judge Dudley R. Bonsal yesterday denied a bid by attorney Murray E. Gottesman for a severance of his perjury retrial with Roy M. Cohn. The trial is scheduled for June 9.

Gottesman had sought the severance on the ground that a jury might be prejudiced because of publicity given Cohn at the first trial.

Bonsal said no sufficient reason has been advanced why the jury cannot consider the perjury counts against Gottesman separately from the remaining counts against Cohn.

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N. Y. Journal

EDITION General

DATED June 6, 64

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Gottesman Must Stand Retrial With Cohn

Roy M. Cohn's co-defendant must stand retrial jointly with him. Federal Judge Dudley B. Bonsai ruled yesterday.

Murray E. Gottesman, 57-year-old lawyer, thereby lost his motion to be tried separately on perjury charges. The judge, who will preside at their second trial on June 9, found no merit in Mr. Gottesman's contention of anti-Cohn prejudice "spilling over" and "blackening" him.

On April 19, after a 21-day trial in which the jury deliberated for four days, a mistrial was declared because the father of one of the jurors died unexpectedly. At the time, according to the jury foreman, the panel stood at 11 to 1 for the conviction of Mr. Cohn on one perjury count. Mr. Cohn, now 37, served as counsel to the Senate Investigating Committee headed by the late Sen. Joseph R. McCarthy.

CLIPPING FROM THE

N. Y. Herald Tribune

EDITION late city

DATED 5-13-64

PAGE 3

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58-1232-SUB B

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Cohn Loses Two Retrial Moves

Ray M. Cohn, former chief counsel of the McCarthy Senate Investigating Committee, lost two decisions in Federal Court. He was denied an extended delay on his re-trial for perjury, and his request for a change of venue was refused. Mr. Cohn and co-defendant Murray E. Gottesman, a lawyer, were accused of helping to shield four men from indictment, although the four later confessed to being stock swindlers.

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NY World Telegram

EDITION late city

DATE 5-2-54

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SERIALIZED ay FILED ay

FBI-NEW YORK

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SUBJECT Roy M. Cohn
FILE NUMBER 58-1232
VOLUME NUMBER 3

U. S. Department of Justice
FEDERAL BUREAU OF INVESTIGATION
ELSON

FEDERAL BUREAU

OF
INVESTIGATION

also see

File - Serial
FD-5 (Rev. 1)

File

58-1233

Date

9/17

Class

Case No.

Last Serial

☐ pending

☐ closed

Serial No.

Description of Serial

Date

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200 - FD-302 re: [REDACTED]

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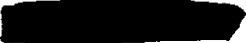
TO: SAC, NEW YORK (58-1232)
FROM: SAC, LOS ANGELES (58-495) (RUC)
RE: MORTON ROBSON, FORMER AUSA;
ROY COHN
BRIBERY

OO: New York

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MORTON and RUTH ROBSON
ROY COHN

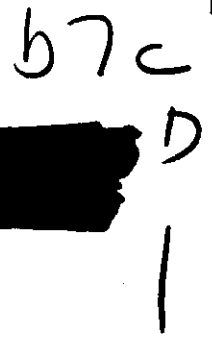

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Special Agent in Charge

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JUN 21 1962
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If New York feels that either of the above-mentioned two COHNS might possibly be identical with the subject of this investigation, the New York Office is requested to advise Los Angeles in order that the [REDACTED] [REDACTED] reviewed. D

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Date: 6/19/62

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FROM : SAC, NEW YORK (58-1232)

**SUBJECT: MORTON ROBSON, FORMER AUSA;
ROY COHN;
BRIBERY**

BOSTON SHOULD CONTACT

TWENTY FIVE, NINETEEN FIFTY NINE.

ALSO DETERMINE IF FOLLOWING INDIVIDUALS HAVE OR
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(2) 1 - Supervisor, #22

Searched 3-11-52
Serialized _____
Indexed _____
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Approved:

Special Agent in Charge

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
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- ☒ Information pertained only to a third party with no reference to you or the subject of your request.
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Date: 6/19/62

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(Priority or Method of Mailing)

TO : SAC, LOS ANGELES (58-495)
FROM : SAC, NEW YORK (58-1232)
SUBJECT: MORTON ROBSON, FORMER AUSA;
ROY COHN;
BRIBERY

LA SHOULD CONTACT [REDACTED]

[REDACTED] AND DETERMINE IF FOLLOWING
INDIVIDUALS HAVE OR HAD IN THE PAST [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED][REDACTED] AND ROY COHN, ELEVEN SIX FIVE PARK AVE.,
ALL NY. IF A [REDACTED] IS LOCATED ON ANY OF THESE
INDIVIDUALS, RECORDS SHOULD BE CHECKED [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Supervisor, #22

Approved: [Signature]

Special Agent in Charge

Sent

M

Per [REDACTED]

Searched [REDACTED]

Serialized [REDACTED]

Indexed [REDACTED]

Filed [REDACTED]

58-1232-108

b2

NY 58-1232

IF [REDACTED] IS LOCATED FOR ROY COHN, IT SHOULD
BE REVIEWED FOR TRIP OF ROBSON AND FOR ANY TRIP BY ROY COHN
FROM NYC TO LA OR LAS VEGAS DURING PERIOD, SEPT. NINTH
THROUGH FIFTEENTH, NINETEEN FIFTY NINE.

b7
D

SAC, NEW YORK (58-1232)
Att: RA, GARDEN CITY

6/19/62

SA [REDACTED] (#23)

b7c

MORTON ROBSON;
ROY COHN
BRIBERY

LEAD

Interview [REDACTED]

[REDACTED] testified before Federal Grand Jury on 6/8/62, [REDACTED]

b7c
D

The allegations in this case are that SAM GARFIELD paid \$50,000, two-thirds to MORTON ROBSON, then an AUSA, one-third to ROY COHN to have GARFIELD, PASTERNAK, ROEN, and SWANN excluded from a 1959 indictment concerning stock fraud re United Dye stock. Allegation has also been made that ROY COHN had [REDACTED] placed in the USA's office, SDNY, to make sure that GARFIELD and his group were not indicted.

b7
C

Ascertain from [REDACTED] the details of his attempts to place [REDACTED] in the USA's office.

① - RA, Garden City
① - New York 58-1232

b7c

[REDACTED]
(2)

58-1232-16

SEARCHED	INDEXED
SERIALIZED	FILED

#23

b7c

XXXXXX
XXXXXX
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58-1232-170

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X FOR THIS PAGE X
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F B I

Date: 6/20/62

Transmit the following in _____
(Type in plain text or code)Via AIRTEL

REGULAR MAIL

(Priority or Method of Mailing)

TO: SAC, NEW YORK (58-1232)
FROM: SAC, NEWARK (58-442) (RUC)
SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERY

ReNYtel to Director 6/14/62 and Buairtel to
Newark 6/15/62.

Enclosed are nine copies of an FD-302 reflecting
interview with [REDACTED]

b7
C
D

2 New York (Enc.9) ✓
1 Newark

b7C [REDACTED]

58-1232-171
SEARCHED INDEXED
SERIALIZED FILED
JUN 21 1962
FBI - NEW YORK

b7C ✓

Approved: RUC/mx

Special Agent in Charge

Sent _____

M

Per _____

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FBI

Date: 6/20/62

Transmit the following in _____
(Type in plain text or code)Via **AIRTEL** _____

(Priority or Method of Mailing)

TO : SAC, NEW YORK (58-1232)
FROM : SAC, CHICAGO (58-466) (RUC)
SUBJECT : MORTON ROBSON,
FORMER AUSA: ROY COHN
BRIBERY

Re your teletype to the Bureau and SACs Chicago and
Atlanta 6/18/62.

SA [REDACTED]

on 6/19/62 that [REDACTED]

MORTON ROBSON
[REDACTED]ROY COHN
[REDACTED]

GALE

② - New York
1 - Chicago
[REDACTED]

58-1232-173
SEARCHED INDEXED
SERIALIZED FILED
JUN 21 1962
FBI - NEW YORK
[REDACTED]

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

URGENT

6-21-62

2-03 PM

TJS

TO SACS NEW YORK /58-1232/ LAS VEGAS AND

LOS ANGELES

FROM SAC, BOSTON /58-271/ 2P

MORTON ROBSON. FORMER AUSA AND ROY COHN., BRIBERY.

OO NEW YORK.

RE NEW YORK TEL JUNE NINETEEN LAST.

END PAGE ONE

58-1232-11

SEARCHED	INDEXED
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FBI - NEW YORK	

67
C
D
15

[REDACTED]

[REDACTED]

IN THESE CITIES TO DETERMINE

NY OK FBI NY JOB
LV OK FBI LV HLS
LA OK FBI LA RLB
MU DISCVO

b7
C.
D

XXXXXX
XXXXXX
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X FOR THIS PAGE X
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URGENT 6-22-62 1-35 PM
TO SAC, NEW YORK 58-1232

JIS

FROM SAC, LAS VEGAS 58-8

MORTON ROBSON, FORMER AUSA, ROY COHN, BRIBERY
OO NEW YORK

RE BOSTON TEL JUNE TWENTY ONE LAST.

[REDACTED]
[REDACTED]
[REDACTED], ADVISED SA [REDACTED] THIS DATE THAT SHE
WAS UNABLE TO LOCATE ANY RECORD OF [REDACTED]
[REDACTED]
[REDACTED]

b7
C-D

END AND ACK PLS

OK FBI NY XXX OK FBI NY JM

R TU DSC

58-1232-176

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 22 1962	
FBI - NEW YORK	

b2

F B I

Date: 6/25/62

Transmit the following in PLAIN
(Type in plain text or code)Via TELETYPE URGENT
(Priority or Method of Mailing)

TO: SAC, LOS ANGELES (58-495)

FROM: SAC, NEW YORK (58-1232)

MORTON ROBSON, FORMER AUSA; ROY COHN BRIBERY. OO: NEW
YORK. REFERENCE LOS ANGELES AIRTEL TO NEW YORK, SIX
TWENTY TWO SIXTY TWO. LOS ANGELES REQUESTED TO ATTEMPT
TO IDENTIFY PERSONS IN [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] THIS SHOULD BE
SET FORTH IN FD THREE ZERO TWO. EXPEDITE.

① New York (58-1232)

(2)

1-Supervisor #22

58-1232-177
Searched _____
Serialized _____
Indexed _____
Filed _____

Approved: [Signature]
Special Agent in ChargeSent 5:12 M Per [Signature]

URGENT 6-25-62 10-54 AM GRJ

TO SAC, NEW YORK /58-1232/

FROM SAC, LOS ANGELES /58-495/ 1P

MORTON ROBSON, FORMER AUSA, AND ROY COHN. BRIBERY.

OO NEW YORK. RE BOSTON TEL TO NEW YORK, LAS VEGAS AND
LOS ANGELES, JUNE TWENTY ONE, LAST.

[REDACTED] FAILED TO

REVEAL ANY RECORD OF [REDACTED]
[REDACTED]

[REDACTED] NO RECORD LOCATED UNDER OTHER NAMES.

FD THREE ZERO TWO TO FOLLOW.

END AND ACK PLS

OK FBI NY JAM

TU DISC

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FBI - NEW YORK	

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE:

6/12/69

FROM : SA [REDACTED]

b7c

SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERY

Contact should be [REDACTED]

for any record they may have with [REDACTED]

Inquiry should also be made to ascertain whether [REDACTED]

b7c
D

covered [REDACTED] b7c

b7c
(2)

58-1232-181

SEARCHED	INDEXED
SERIALIZED	FILED

b7c

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE:

6/12/62

FROM : SA [REDACTED]

SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERY

Contact should be made at [REDACTED]

MORTON ROBSON
[REDACTED]

ROY COHN
[REDACTED]

[REDACTED] If [REDACTED] for
ROY COHN is located, it should be reviewed for the trip of
ROBSON and for any trip by ROY COHN from NYC to Los Angeles
or Las Vegas for the period of 9/9 through 15/59.

*covered
6-13 + 6/21/62*

(2) [REDACTED]

58-1232-182

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SERIALIZED	FILED
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[REDACTED]

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58-1232-183, 184

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/12/62

FROM : SA [REDACTED] #22

SUBJECT: MORTON ROBSON;
ROY COHN;
BRIBERY

On 6/11/62, AUSA SILVIO J. MOLLO, SDNY, telephonically contacted the NYO and advised that his office had some information regarding this case.

SAs [REDACTED] and [REDACTED] met with USA ROBERT M. MORGENTHAU and AUSAs SILVIO J. MOLLO, GERALD WALPIN, and DONALD J. COHN, SDNY, later in the day.

Mr. MORGENTHAU advised that his office wanted to bring the FBI up to date regarding what his office had been doing in connection with this case. After making this statement, Mr. MORGENTHAU thereafter told AUSA WALPIN to brief the agents on what their office had been doing in connection with this case.

AUSA WALPIN advised that [REDACTED] the following individuals had appeared before the Grand Jury in connection with this case:

[REDACTED]

He advised that testimony by [REDACTED]

[REDACTED]

1-NY 62-12544
(2)-NY 58-1232

(3)

58-1232-185

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NEW YORK	

NY 58-1232

[REDACTED] b3

Mr. WALPIN advised that his office now has the

[REDACTED] b3

Mr. WALPIN advised that his office would like to have the home address of [REDACTED] who has been interviewed in the past by agents of this office. He stated that he plans to call [REDACTED] into his office, and he has been unable to locate his address. b3
Address in 302 Walpin advised 6/14

b3

Mr. WALPIN advised that in the 5/23/62 issue of the "Daily Mirror" there appeared in the column of WALTER WINCHELL a telegram to WINCHELL from ROY COHN, which reflected the following information:

"WINCHELL, Mirror, New York: Do not and never have represented any Las Vegas interest nor have I been asked to. As to Bobby Kennedy, there is no grudge or feud whatsoever. He is against Crime and Communism and so am I, and he has my complete support.

"Roy Cohn"

Mr. WALPIN advised that he would like to get this telegram to actually see if it had been sent by COHN.

[REDACTED] b3
(6103)

NY 58-1232

LEADS

NEW YORK

At New York, N.Y.

(1) Will, from the files of the NYO, determine the residence address of [REDACTED] and furnish it to AUSA WALPIN. b7c

(2) Will attempt to obtain the telegram ~~from~~ ROY COHN to WALTER WINCHELL as appeared in WINCHELL's column on 5/23/62.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/14/62

FROM : SA [REDACTED] (#23)

b7c

SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERY

[REDACTED]

[REDACTED]

b7c
D

*Two called
6/18*

1. [REDACTED]
2. [REDACTED]

① New York 58-1232

b7c (1) 4-

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[REDACTED]

b2

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58-1232-186 page 2

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/12/68

FROM : SA [REDACTED]

b7c

SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERY

Contact should be made at the [REDACTED]

Inquiry should be made [REDACTED]

b7c
D

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This is a Bureau Special and should be
handled most expeditiously by
J22

b7c [REDACTED]
(2)

58-1232-188

SEARCHED	INDEXED
SERIALIZED	FILED

[REDACTED] b7c
White Plains RA

UNITED STATES GOVERNMENT

Memorandum

TO : SAC NEW YORK (58-1232)

DATE: 6/18/62

FROM : SA [REDACTED]

b7c

SUBJECT: MORTON ROBSON;
ROY COHN

BRIBERY

Rememo SA [REDACTED] 6/12/62.

b7c

On 6/15/62, [REDACTED]

[REDACTED]

b7
C
D
I

58-1232

b7c

58-1232-189

SEARCHED	INDEXED
SERIALIZED	FILED

[REDACTED]

b7c

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/18/62

FROM : SA [REDACTED] b7c

SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERY

Reference memorandum of SA [REDACTED] dated 6/12/62. b7c

[REDACTED]
MORTON ROBSON

[REDACTED]
ROY COHN b7c
D

58-1232-190

SEARCHED	INDEXED
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[REDACTED] b7c

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/26/62

FROM : SA [REDACTED] #22

SUBJECT: MORTON ROBSON, FORMER AUSA;
ROY COHN;
BRIBERY

AUSA SILVIO MOLLO, SDNY, telephonically contacted the NYO at 5 p.m. on 6/25/62 and advised that he had just been advised by USA ROBERT M. MORGENTHAU that there had been some new developments in this case. He did not mention the new developments, but he suggested that the NYO keep a couple of agents on standby and he would contact the NYO again after he had a conference with the USA.

Later in the day ASAC A. M. BRYANT advised that he had just talked to AUSA MOLLO and Mr. MOLLO had advised him that [REDACTED]

[REDACTED] had advised the USA's Office that he thought his room, [REDACTED] NYC, was "bugged". ASAC BRYANT advised that he had obtained permission from the Bureau to conduct a security check of this room. He advised that a key to [REDACTED] room would be left by AUSA MOLLO at the guard's desk in the Federal Courthouse, SDNY. He advised that agents could pick up this key and thereafter conduct a security check of the above-mentioned room.

At 7 p.m. the writer picked up this key and thereafter SAs [REDACTED] (Sutec), and SAs [REDACTED] and [REDACTED] proceeded to Room [REDACTED]. Thereafter SAs [REDACTED] and [REDACTED] conducted a security check of this room. As far as could be determined there was no misur coverage of this room.

Noted in the message box on the outside of the door to this room, there appeared an opened envelope which contained the following message:

58-1232-191

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[REDACTED]

(1)

NY 58-1232

[REDACTED]

"

Noted in a dresser inside of this room was a TWA
passenger receipt bearing the information: One-way, Las Vegas--
New York, Serial [REDACTED] Total \$188.93, Flight [REDACTED]

FBI

Date: 6/27/62

Transmit the following in _____
(Type in plain text or code)Via AIRTEL AIR MAIL
(Priority or Method of Mailing)

TO: SAC, NEW YORK (58-1232)
 FROM: SAC, LOS ANGELES (58-495)(RUC)
 RE: MORTON ROBSON,
 Former AUSA, SDNY;
 ROY COHN
 BRIBERY
 OO: NY

Re New York teletype to Director and Los Angeles
 6/18/62 and Boston teletype to New York, Las Vegas and Los
 Angeles 6/21/62.

Enclosed herewith are nine copies each of FD 302s
 reflecting interview with [REDACTED] and [REDACTED] at Los
 Angeles, California. b7
 C-D

No further investigation being conducted by the
 Los Angeles Office.

② - New York (Encls. 36)
 1 - Los Angeles
 b7C, (13)

58-1232-192

SEARCHED	INDEXED
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FBI - NEW YORK	

b7
 C-D

Approved: [Signature] Sent M Per
 Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/29/62

FROM : SPVR. [REDACTED] #221

SUBJECT: MORTON ROBSON, FORMER AUSA;
ROY COHN
BRIBERY

[REDACTED] (anonymous source) was developed by SAs [REDACTED] and [REDACTED] on 6/28/62, at Suite [REDACTED], Hotel Plaza, 59th Street and Fifth Avenue, NYC, which suite was occupied by [REDACTED] and [REDACTED], and furnished the following information:

One brown plastic-type, portfolio briefcase, approximately 12" x 24", horizontal zipper across the top. In cut-out in top center of briefcase, (what would be a cut-out for a name plate) appeared a white cloth insert, taped to the inside of the front side of the briefcase, on which appeared the name, typed, [REDACTED]. This white cloth insert serves as a name plate and the above name appears centered in the cut-out. The above plastic briefcase was located on the cocktail table in Room 845, the living room of Suite 845-7.

The contents of the above-described briefcase were as follows:

Copies of letters by below-described individuals, all directed to the Honorable WILLIAM B. HERLANDS, United States District Judge, U. S. Courthouse, Foley Square, New York, New York, in which the writers acknowledge business and/or social acquaintance with [REDACTED], recently convicted in SDNY, describe the contributions made by [REDACTED] to the community of Las Vegas, and generally request Judge HERLANDS to take into consideration [REDACTED] excellent behavior and reputation in connection with his forthcoming sentencing before Judge HERLANDS:

b7c [REDACTED]
(2)

58-1232 193

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FBI - NEW YORK	

[REDACTED] b7c

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XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
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Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

58-1232 - 193 page 2

XXXXXX
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XXXXXXXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXX

NY 58-1232

[REDACTED]

A large manila envelope, approximately 12" x 18" bearing the letterhead of [REDACTED]

Written across the envelope in red ink "For [REDACTED]"

A small white envelope in upper left hand corner appears a green and gold circular stamp which indicates it is the stamp of the Mammoth Corporation, Producing and Refining. Written across the envelope from bottom to top, in ink is "1 hundred & 40 miles (underscored) scored, Albion (possibly Albion, Michigan), 1491 (underscored).

Also located in the plastic briefcase described above was an eight page, typed "Statement of [REDACTED] (copy) which was not reviewed.

It is to be noted that on a dresser in the bedroom, Room [REDACTED], was found a new address book in which the only entry located as [REDACTED]

Also located on a dresser in the bedroom was a telephone message block dated "Wed 12:50 p.m." which read [REDACTED]

UNITED STATES GOVERNMENT

Memorandum

TO : SAC NY 58-1232

DATE:

6/29/62

FROM :

SA [REDACTED]

b7C

SUBJECT:

Morton Robson et al
Bribery

Permission granted to photostatic
one copy of four pages of
signed statement of [REDACTED]
to return copy of his signed statement
to him

b7C
1

file 6/29/62
[REDACTED]

58-1232-17

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 1 1962	
FBI - NEW YORK	

[REDACTED]

b7C

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
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_____ Page(s) withheld for the following reason(s):

☒ For your information: This document was processed in
Headquarters file 58-5100

☒ The following number is to be used for reference regarding these pages:
58-1232-195

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

201 East 69th Street
New York 21, New York
June 19, 1962

[REDACTED]
Dear [REDACTED]

Enclosed is a copy of the signed
statement that you furnished to Special Agents
[REDACTED] and [REDACTED] on
June 15, 1962, as per your request.

b7c
D

Very truly yours,

[Signature]
H. G. FOSTER
Special Agent in Charge

Enclosure 1

58-1232-196

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 19 1962	
NEW YORK	

[REDACTED] b7c

F B I

Date: 6/22/62

Transmit the following in _____

(Type in plain text or code)

Via AIRTELAIR MAIL

(Priority or Method of Mailing)

TO: SAC, NEW YORK (58-1232)

FROM: SAC, LOS ANGELES (58-495)

RE: MORTON ROBSON,
Former AUSA, SDNY;
ROY COHEN
BRIBERY
OO: New York

Reurtele to Bureau, Los Angeles, Chicago, and
Atlanta dated 6/18/62.

[REDACTED]

[REDACTED]

[REDACTED]

Unless advised to the contrary by the New
York Office, Los Angeles will not review the registration
cards for the year 1959.

FD 302s being forwarded. 7/6

② - New York (Encls. 5) 2 deliv'd
- Los Angeles

Approved: _____

Special Agent in Charge

Sent _____

SEARCHED

SERIALIZED

JUN 24 1962

FBI NEW YORK

no file 103(15) of 8-1-62

b7
C
D

See 7133(15)

gr
b7C

b7C

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 6/26/62

FROM :

SA [REDACTED] (#14) **b7C**

SUBJECT:

MORTON ROBSON-FORMER AUSA;
ROY COHN-BRIBERY

ReButel, dated 6/25/62.

SA [REDACTED] and [REDACTED] caused a search of Room [REDACTED] New York, NY. This room was reserved by [REDACTED] Per Bureau authority a search of the premises uncovered no evidence of a microphone installation or foreign wiring which could establish a microphone coverage. **b7C**

① - New York (58-1232)
1 - Sutec File

[REDACTED] **b7C**

58-1232-198

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 3 1962	
FBI - NEW YORK	

[REDACTED] **b7C**

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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Headquarter file 58-5100

☒ The following number is to be used for reference regarding these pages:
58-1232-199, 201, 202, 203

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X NO DUPLICATION FEE X
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File - Serial Charge Out
FD-5 (Rev. 12-1-55)

File No. **58-**

1232

Date _____

Class _____

Case No. _____

Last Serial _____

☐ Pending

☐ Closed

Serial No.

Description of Serial

Date
Charged

204

REMOVED

Employee

RECHARGE

Date _____

To _____

From _____

Date charged

Employee

Location